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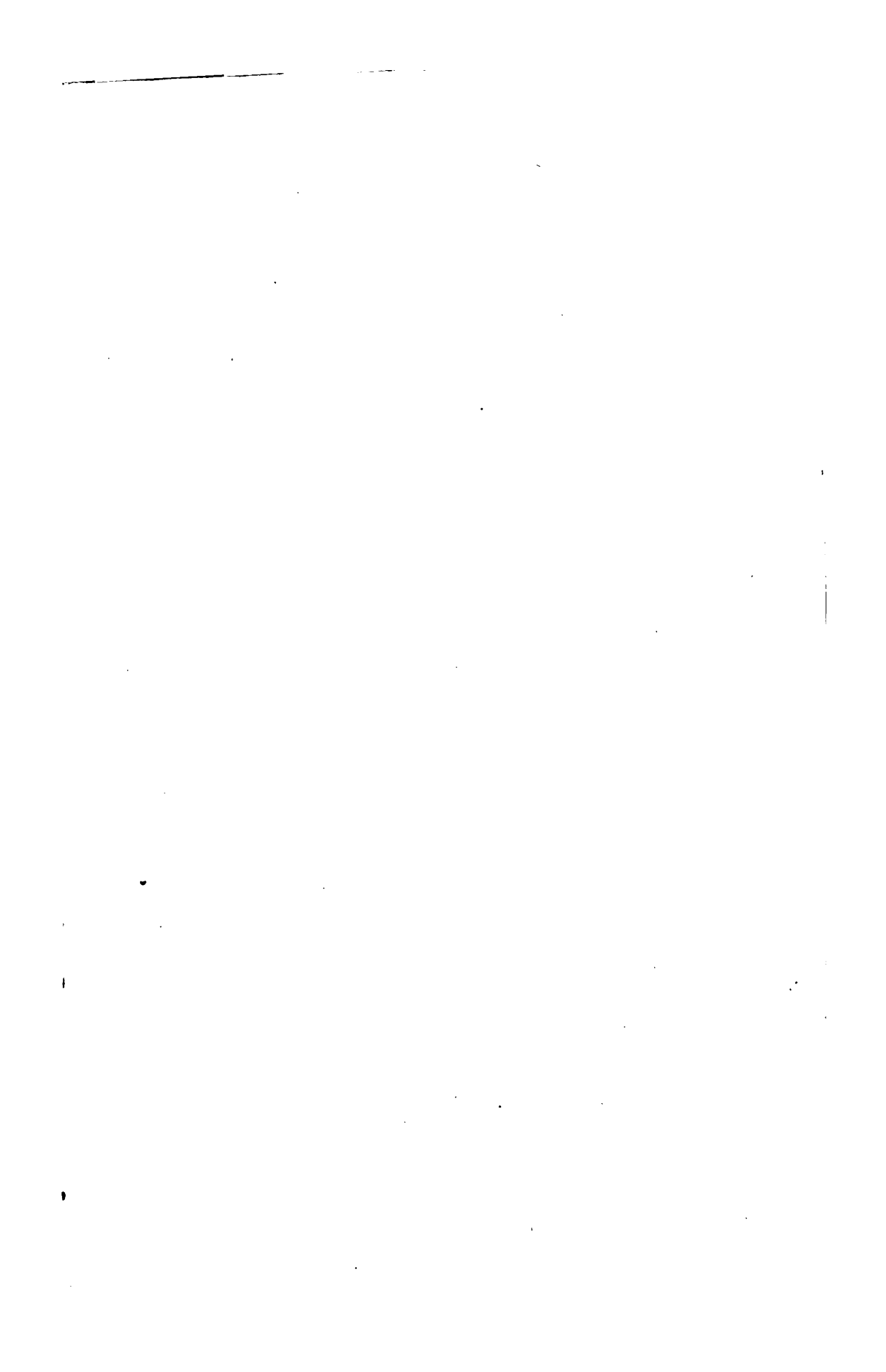
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SPEECHES

OF

THE EARL OF DURHAM,

ON

REFORM OF PARLIAMENT.

LONDON:

JAMES RIDGWAY AND SONS,

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SPEECH

IN THE HOUSE OF COMMONS,

ON TUESDAY, APRIL 17, 1821,

**ON MOVING FOR A COMMITTEE TO CONSIDER
THE STATE OF THE REPRESENTATION;**

WITH

A BILL FOR A REFORM OF PARLIAMENT.

MR. SPEAKER,

IN pursuance of the notice which I gave, I rise to bring under the consideration of the House, the state of the Representation of the People in Parliament.

If at all times, and upon all subjects, I must be most unwilling to trespass on the attention of this House, on no occasion can I be more reluctant than on the present; and I can assure you, that nothing but a deep sense of public duty, and an anxious desire to put an end to that spirit of discontent, now so generally prevailing, could have induced me to

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Ministers. Indeed of all the placemen who usually crowd the opposite benches, at this moment I only perceive those Right Honourable Twins, so lovingly united in affection, in principle, and in the representation of the oyster-dredgers of Harwich.*

In addition to this studied neglect, I have also to lament the disadvantage of following those eminent and illustrious characters, who have at different times advocated this question, and who by their virtues and their abilities have conferred as much lustre on the cause, as they received from the sacred and patriotic nature of the trust confided to them. I know, likewise, that I shall have to contend against the weight of the overwhelming eloquence of a Right Honourable Gentleman opposite,† who has ever placed himself first and foremost in the ranks of those who oppose any alteration in the state of the Representation, and whose hostility is never directed with more zeal, energy, or ability, than against that extended principle of amelioration, which it is my duty this night to press on the consideration of this House. Under these great and manifold disadvantages, therefore, and a deep sense of my own inadequacy to overcome them, I can only hope that the House will extend to me that indulgence, which at no time was more necessary, and that they will believe me when

* The Chancellor of the Exchequer and Mr. Bragge Bathurst, who were then seated side by side, and were the only members on the Treasury Bench.

† Mr. Canning.

I assert, that my motives for undertaking this arduous office are founded solely on an ardent desire to serve my country, and to conciliate large classes of the community, loudly, but steadily complaining of their deprivation of the greatest privilege of our Constitution,—and attributing, and justly in my opinion, the distress under which they are at present labouring, to a long system of misrule and mismanagement, which never could have existed, much less continued, if it had not been caused and protected by a gross and notorious system of corruption in the representation of the people.

Sir, I have heard much said lately of the dangerous state of the times—and I think with justice, for they are awful and portentous ; sad from the recollection of past, and gloomy from the prospect of future events, before the fulfilment of which, the importance of both past and present difficulties fades into nothing. There is, I am aware, a spirit of discontent daily increasing, which cannot now be lulled or removed by those excuses which formerly passed current—by those promises which a long succession of years has seen as readily and unblushingly broken, as they were cheaply made in compliance with each temporary cry from the people for reformation and amendment. The increase of national education, and the consequent expansion of the intellects of the middle and lower orders of society, renders it now quite impossible to conceal any longer the causes of our national misfortunes—and this doctrine I find unex-

pectedly supported by an authority, and in a quarter, from whence I least expected any assistance. Since I came into the House this night, an extract has been placed in my hands from an Address to the Grand Jury of Lancaster, by Mr. Justice Best, which fully confirms the assertion I have just made. The learned Judge there says,—“The general diffusion of reading among the lower classes of society, requires the adoption of other measures than were necessary during the prevalence of ignorance ; it would be as absurd to adhere to the old custom of acting, under the new circumstances, as it would be to treat animated beings in the same manner as things inanimate.”

I lately, Sir, had an opportunity of ascertaining the habits and opinions of a large portion of those classes in the north of England : and I must confess, that I was astonished at their improved intelligence—at their vigilant attention to political subjects. There was hardly a village, however secluded from the world, however remote from large cities, however seemingly cut off by difficulties of access from communication with society, in which I did not observe the most vigilant attention to all the great points of our national policy, and the most scrutinizing observation, not only of measures, but of men. Were these symptoms to be discovered even twenty years ago ? I think no man will assert that they were, or will deny, that the lower and middle orders were then more remarkable for apathy, and a subserviency to the will of their superiors in rank, than for that

independent and intelligent spirit which now animates them, and which only requires the occurrence of a fit opportunity, to prove its existence in all parts of the empire.

In further proof of this feeling, I may also instance the numerous petitions that have been presented this night, and at former periods, all containing complaints against the present system, and insisting on the necessity of Reform. Is it not, therefore, a matter of absolute necessity that we, who call ourselves the Representatives of the People, should at length undertake that just and salutary work of amelioration and concession, without which we cannot hope they ever will be satisfied? I say, without it they never can be satisfied; because we cannot, when we consider the state of the country, deny that their complaints are just. In what a situation are we now! We have a national debt of more than 850,000,000*l.*—an annual expenditure of 53,000,000*l.*—a taxation the most burthensome and oppressive in the known world, and yearly decreasing in productiveness, in the same proportion that it increases in severity—a Sinking Fund, which is the veriest delusion that ever was attempted to be practised on a country—our commerce in a state of the greatest depression—an agricultural interest petitioning from all quarters, and declaring its inability to exist without a protection which, if afforded, would irritate, perhaps greatly injure, a manufacturing interest already exposed to the greatest difficulties in its higher quarters,

and whose working classes are nearly reduced to starvation.

We have, besides, a standing army of more than 80,000 men, an object always of the most constitutional jealousy to our ancestors, although it seems of none to us; the existence of which was even assigned as one of the reasons for deposing James the Second. We have a system of corruption in the greatest activity, by which seats in this assembly are publicly advertised for sale, and as publicly and notoriously bought and sold—and, to complete our domestic picture, we are repeatedly alarmed by accounts of treasons and conspiracies; nay, it was but last night that we were told by a Noble Lord, the Secretary at War,* that we were only in the first year of domestic peace! Our gaols are overflowing: and our eyes are shocked, and the better sympathies of our nature disgusted, by the most barbarous and unnecessary executions—the effect of the impolitic severity of our criminal laws.

If we turn our eyes outwards, we find no accession of national honour or character to make up for our bankrupt and miserable state at home. Repeated violations of public faith and solemn pledges, recorded to our eternal disgrace, in the transfer of Norway,—the base abandonment of Genoa,—the partition of Saxony,—the surrender of Parga. A steady and undeviating support of all those feudal abuses and despotisms, which it is the object of the

* Lord Palmerston.

take up a question the great and important interests of which I feel that I am not competent adequately to protect. In the first place, I know that I have to contend against that disinclination which has invariably been shewn by this House towards its discussion ; a disinclination founded possibly on that dislike which is inherent in all men, and bodies of men, to hear accusations against themselves, and statements of faults and corruptions openly laid to their charge. If I wanted any evidence in support of this assertion, this well known truth, I should undoubtedly find it in the present state of the benches opposite to me. Perhaps indeed I should be justified in taking advantage of it, and at once submitting my motion to the vote ; as the result of that division clearly would be its adoption : for it requires no great discernment to perceive that at this moment the majority is greatly on the side of the friends to Reform.

But, Sir, I shall not be tempted into this irregularity, as it would prevent that ample discussion, that calm and deliberate consideration, to which this important subject is justly entitled, and without which it would be a mere mockery to propose it. If this scantiness of attendance is meant as an insult to myself, I treat it with contempt ; if it is pointed at the question, I then repel it with feelings of deep indignation, and can only hope that it will not be lost on the people of England, who will not, cannot be insensible to the manner in which a subject, so interesting to them, has been treated by his Majesty's

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Holy Alliance to bolster up if possible : evinced, I say, most unequivocally, by our repeated adoption of an act the most repugnant to the free principles, although not to the present practice, of the British constitution, I mean the Alien Bill. An utter indifference to the struggles of a people contending for constitutional liberty ; when a firm remonstrance, breathing the genuine spirit of English freedom, might have arrested the invading arms of Austrian barbarism, and prevented a war which has too unhappily succeeded, for the moment, in its sacrilegious aim, the repression of freedom, and the riveting again of chains which an effort of just and noble resistance had peacefully broken. All these, and many other characteristics of our foreign policy, which I need not now mention, have degraded us in the eyes of the people of the Continent, and rendered us with them objects of distrust, suspicion, and hatred.

Under these circumstances, is it not natural that every mind capable of reflecting should be earnestly employed in endeavouring to ascertain the causes of this consummate degradation of national character ? Nor have the people of England, unfortunately, far to look : the origin of all their misfortunes is to be found in the abuses prevailing in that branch of the legislature which was originally designed for their protection—

Hoc fonte derivata clades

In patriam, populumque fluxit.

Sir, for a long period of time the people of this country had to contend against the tyrannical encroachments of their kings, and the undue exercise of the prerogative ; nor did they succeed in establishing their rights for a time, until after the severest struggles, and the effusion of the best and noblest blood in the nation. At length, the system of attack was altered ; it was discovered to be far more easy to govern by means of a majority in the House of Commons : and infinitely more effectual to employ the arms of corruption, than those of oppression, or of violence. Since that fatal discovery was made, our liberties have been at the mercy of all Ministers, to whatever party they may belong ; and if we now possess any, we owe it to their forbearance, and not to their being destitute of the power to destroy them entirely.

Let us only look at the means placed at the disposal of the Minister of the day :—The management of our enormous revenue and expenditure, in all its minute and innumerable branches ; possession of the force and influence of the Crown, exhibited in legions of tax-gatherers, clerks, and officers of all descriptions in the different boards of Customs, Stamps, and Excise ; the distribution of 4,000,000*l.* and upwards amongst those civil troops, amounting as they do to 10,000 : the nomination of which is always vested in the Ministerial Member, in the town or county which he represents in Parliament ; the patronage of the Army ; the Navy ; the Church ;

and the India Board. All these weapons, steadily and invariably directed towards one object, the strengthening the influence of Government in this House, form a weight of power which the people, as at present represented, cannot resist. The consequences have been fatal to our happiness and prosperity. That check which the people are constitutionally supposed to have on the power of the crown, by holding the reins of taxation in their own hands, and having the power of withholding the supplies, has been rendered null and void, in consequence of the great majority of their representatives being returned by improper influence: by the Crown in some instances, by Peers in others; in many cases the member returning himself, but all possessing interests distinct from those of the people.

Ought it therefore to be a matter of surprise, that the national debt was increased ONE THOUSAND MILLIONS during the late reign? or can we expect the people to be satisfied with a system, through which they have been plundered of these millions, to provide for the most wild and extravagant wars—the termination of which has always left them in a worse situation, than they were in at the commencement? I contend, therefore, that it is the paramount duty of every true lover of his country to endeavour to restrain and diminish the influence of the Crown, and prevent it from destroying those constitutional defences of the rights of the people, which are to be found in a state of representation directly and purely

emanating from themselves. The theory of the Constitution, according to the best authorities, is, that all the parts of it form mutual checks on each other. I think it is Blackstone who has said, that in the legislature the people are a check on the nobility, the nobility upon the crown, and the crown upon both. But the practice, according to modern innovations and corruptions, is widely different from this theory. In the enumeration of those checks, we must entirely omit that of the people: for they are not represented in the legislature. When I say this, I mean, that although there may be some few members returned according to the purest spirit of the Constitution, yet that the great majority are returned by the most improper means, without even the remotest shadow of popular delegation. In proof of this, I am now ready to adduce in evidence at the bar of this House, that 180 individuals return, by nomination or otherwise, 350 members.

Now, Sir, does any man who hears me, imagine that those Members do not, in the first instance, consult the wishes and political attachments of those to whom they are indebted for their seats? How often do we hear it said, "Why has Mr. A. taken the Chiltern Hundreds?" The answer constantly is—"Because he cannot conscientiously vote with Lord B. or Mr. C. who returns him, and therefore he deems it a point of honour to resign his seat"—a point of honour, by the way, which I never hear of, as being acted upon towards the people, however it

may towards the patron. But all these facts are too well known, for me even to trouble the House by the mention of them, individually they know them to be true, collectively they know it, for they have often been brought under the consideration of Parliament; and one noble Lord,* in particular, has no reason, I think, to be delighted by any accession which thereby has accrued to his constitutional fame. The result, however, shortly, is this: By direct nomination, by the existence of boroughs, where some 20, 50, or 100 voters are septennially bought and sold, like cattle in a fair—by the influence of Government, which, owing to the small number of electors, as compared with the population of the empire, can but rarely and partially, and then most expensively, be resisted; a majority is always to be procured for the Administration of the day; a majority, forming a body, the most convenient, the most pliable, the most manageable, that the wit of man could invent: sanctioning measures solely on the principle of ministerial recommendation, without any reference to the expressed wishes of the people. Instances of this I need not enumerate, for they are now matters of history, and their records are accessible to all: as a sample of the commodity, I may, however, mention, that a majority of a House of Commons sanctioned and approved the infamous expedition to Walcheren; as for its pliability, I

* Lord Castlereagh, afterwards Marquis of Londonderry, accused by Mr. Madocks of having bartered a place for a seat.

myself have seen the same members voting for that very question, which they had negatived only one hour before ; but I will not weary the House by the detail of the long and black catalogue of offences committed by its predecessors, for of the present House I am prevented from speaking, as I should wish, by the existence of forms which I do not intend to violate.

Now, Sir, to prevent the further continuance of this state of things, the recurrence of such proceedings as I have thus generally described, is the object of my Motion. In order that the People may be fairly and adequately represented in the Legislature, and the balance of the Constitution thus restored, it is necessary, in my opinion, that there should be an extension of the Elective Franchise to the unrepresented classes contributing directly to taxation—Copyholders, Leaseholders, and Householders ; that all venal, corrupt, and decayed Boroughs should be disfranchised ; and that there should be a recurrence to Triennial Parliaments, accompanied by such restrictions on the expenses of elections, as could be easily accomplished under a reformed system, but which now it is quite impossible to effect, and useless to attempt.

It would indeed be presumptuous in me to attempt to enter into a detailed history of the origin and constitution of the House of Commons. It has been so often and so ably discussed within these walls, that nothing new, in fact, can be adduced on the sub-

ject; a short allusion, however, to its composition, will, perhaps, be permitted me; and I trust the House will not be wearied by a short review of the Statutes which have been passed at various times, affecting either its duration or constitution. In the reign of Edward III. an Act was passed by which Parliaments were to be held annually, in consequence of a disinclination both on the part of the Sovereign to summon them, and of the Representative to attend: arising on the one hand from a too great tendency to arbitrary power, and on the other from a lamentable deficiency in spirit and zeal in the People—the most fatal and ruinous symptom which can exist in a national character: nay, to such a height was this feeling carried, that it was found necessary to pass a law fining members for non-attendance, and fixing the rate of their wages, as a greater inducement. Still, however, Parliaments were not held or called either according to the letter or spirit of this Enactment, the ill effects of which are apparent in every page of our history. At length, in the 16th of Charles 2. c. 1. it was ordained that Parliaments should be assembled every three years: and in the 6th of Wm. & Mary, c. 2. the Triennial Act was passed, which recites, “that by the ancient laws and statutes of the kingdom, frequent Parliaments ought to be held, and that frequent and new parliaments tended very much to the happy union and good agreement of the king and people, and enacts that a new parliament should be called once in three years at the least.”

The last Act relating to this subject, and under which the present duration of Parliaments exists, is the stat. 1. Geo. I. § 2. c. 38. It recites, that “it had been found by experience that the clause in the Act of William and Mary, limiting the duration of parliaments to three years, had been found grievous and burthensome, by occasioning greater expenses at elections, and more violent heats and animosities than ever were before known; and there being a restless and Popish faction in the kingdom, designing and endeavouring to renew rebellion and an invasion from abroad, and that if continued it might prove destructive to the peace and security of the Government;” and therefore it ordains, “that all future parliaments shall continue seven years, unless sooner dissolved by the sovereign authority.”

This Act, commonly called the Septennial Act, was not passed without earnest discussion and resistance, as every one conversant in the history of the Country well knows; and I find in a Protest in the House of Lords, on that occasion, arguments so cogent and so applicable to the view I entertain of this question, that I hope the House will excuse me, if I read a short extract from it. After claiming frequent Parliaments, as agreeable to the Constitution and the practice of ages, and denying the right of a House of Commons elected for three years, to extend its duration to seven, the Protesting Lords go on in these words :

“We conceive that this Bill is so far from preventing expenses and corruptions, that it will rather

increase them ; for the longer a Parliament is to last, the more valuable to be purchased is a station in it, and the greater also is the danger of corrupting the Members of it ; for if ever there should be a Ministry who shall want a Parliament to screen them from the just resentment of the people, or from a discovery of their ill practices to the King, who cannot otherwise, or so truly be informed of them, as by a free Parliament, it is so much the interest of such a Ministry to influence the elections, (which by their authority, and the disposal of the public money, they, of all others, have the best means of doing,) that it is to be feared they will be tempted, and not fail to make use of them ; and even when the Members are chosen, they have a greater opportunity of inducing very many to comply with them, than they could have, if not only the Sessions of Parliament, but Parliament itself, were reduced to the ancient and primitive constitution and practice of frequent and new Parliaments : for as a good Ministry will neither practise nor need corruption, so it cannot be any Lord's intention to provide for the security of a bad one."

This measure, which I cannot but characterize as a most daring and unconstitutional exercise of Parliamentary authority, was undoubtedly founded on circumstances of temporary necessity, to be justified only by the fact, that if an election had then taken place, it would have been matter of great uncertainty, whether a majority would not have been returned adverse to the Brunswick family, and to the existence

of those civil and religious liberties, for the maintenance of which they had been elected and summoned to the Throne. Upon this subject, I know historians have widely differed ; my own opinion is, that however much posterity may feel grateful for the result which attended that measure, as far as regarded the eternal expulsion of the Stewart family, they must always reprobate the means by which it was obtained, as having established a most dangerous precedent, and opened a source of parliamentary corruption, which it was the most earnest endeavour of our ancestors at the Revolution to eradicate.

I should not, therefore, consider any alteration beneficial which did not include a recurrence to Triennial Parliaments, affording, as they would, the very best security for that frequent communication between the representative and his constituents, the absence of which is but too apt to render him entirely independent of them, and regardless of any interests but his own.

The next point to which I shall call the attention of the House, regards the electors and elected. After the best research which I can make into the subject, and the maturest deliberation, I remain convinced, that until the reign of Henry VI. all English freemen were entitled to vote for representatives. Without going into the remote ages of our Saxon ancestors, I find this doctrine acknowledged by declarations from Sovereigns in various forms, and by a special Act of Parliament. Edward I. in his first writ of summons

to the Sheriffs, requires the return of two Knights, who are to be chosen by the *commonalty of each county*, and two citizens and burgesses by the commonalty of each city or borough: and gives as his reason, what he justly calls a most equitable one, namely—"that what concerns all, should be approved by all; and that dangers common to all, should be obviated by remedies provided by all." In the same spirit was it, I apprehend, that Edward III. said, in reply to a petition from the House of Commons in favour of annually holding Parliaments, and the restriction of voting to what they called the better people in counties—"as to a Parliament every year, there are statutes and ordinances made; let them be duly kept and observed; as to the choice of knights, the King wills that they be chosen by the *common assent of the whole county*." At last, in the 7th of Hen. 4, this important principle was solemnly recognised in the Statute Book. The Act runs in this form: "Our Lord the King, at the grievous complaint of his Commons, of the undue elections of knights for counties for the Parliament, which be sometime made by affection of the sheriff, and otherwise against the form of the writs directed to the sheriff and the great slander of the counties, and *hindrance of the business of the commonalty* in the said county," &c. &c. It provides therefore "as a *remedy*, that at the next county court after the delivery of the writ, *all they who be there present*, as well suitors duly summoned for the same cause, *as others*, shall attend

to the election of their knights, and then in the full county shall proceed to the election freely and indifferently." Now, if the word "suitor" was not sufficiently comprehensive, the term "and others" clearly proves that all freemen were intended to participate in the election ; and in those days nearly every freeman was possessed of some degree of property from which he contributed to the support of the State. This act was still farther recognized in the 11th of Hen. 4. and the 1st of Hen. 5. ; but the latter makes residence a necessary qualification both for electors and elected.

At length, one hundred and thirty-four years after this right had been exercised by the people of England—namely, from the time of Edw. 1. to Hen. 6.—the disqualifying statute was passed in the 8th year of the reign of the latter King. It recites, "that elections of knights in many counties had of late been made by great, outrageous, and excessive numbers of people, *dwelling within the same counties*, of which the most part was people of small substance and no value, *whereof every of them pretended a voice* equivalent with the most worthy knights, whereby riots, batteries, and so on, among the gentlemen and other people."—(The House will naturally suppose the sentence concluded with "unhappily have occurred:" on the contrary, all we find is)—"*shall very likely rise and be*—and therefore provides that knights of the shire shall be chosen by people dwelling and residing in the same counties, *whereof every one of them shall*

have free land or tenement to the value of 40s. by the year at least above all charges, and that they which shall be so chosen shall be dwelling and resident within the same counties."

From this period is to be dated the transfer of the elective franchise from all freeholders and all freemen, to freeholders of the amount of 40s. a year : a period marked also by another most glaring invasion of the liberties of the people ; the adoption of an act compelling labourers and artificers to work for low wages, under severe fines and penalties. As, therefore, all persons denominated *liber-tenentes*, and all freemen *possessing property*, *however small its value, from which they contributed to taxation*, enjoyed the right of voting, until they were most treacherously and tyrannically disqualified by this act of Henry VI. ; so, I say, now, all Englishmen, possessing the same qualifications, ought to resume those rights which were shamefully wrested from their ancestors under the most false pretences, for the preamble of the Bill which I have just read, fully exposes the weakness and absurdity of the reasons alleged ; and effected also under circumstances, and accompanied by other measures, bearing no other stamp than that of the most arbitrary power.

The Stat. 23 Hen. 6. c. 14. recognizes in its recital an act passed in the 1st Hen. 5. respecting what sort of persons shall be choosers, and who shall be chosen knights and burgesses ; and declares that

knights of the shire shall not be chosen unless they are *resident* within the shire, and the choosers also *resident*, and the same with regard to cities and boroughs. These laws, as to residence, were not repealed until the 14 Geo. 3. c. 58; and the reasons assigned in the preamble to that act are most ludicrous—that the provisions in them had been found by long usage to be unnecessary, and had become obsolete. The fact was, that the qualifications there insisted upon as to residence, had long been purposely evaded, or manifestly disregarded, from the most corrupt motives, although the statutes were positive and unrepealed. In these enactments, the principle of a fair and just representation is to be recognized; namely, that no county, city, or borough, should be represented but by persons resident in, or free of them, and consequently acquainted with their various interests and necessities. But is this principle, just as it is, at all applicable to the present state of the borough system? Many of these boroughs, formerly populous and flourishing, and therefore represented, are now decayed and depopulated; consisting, in many instances, only of posts or stones, denoting merely the site of former dwellings. Is it according to the spirit of the Constitution? Is it according to the tenor of the statutes I have just cited, that these substances should return Members to Parliament? And how are they represented? By burgesses “resident in or free of” these boroughs? By no means. I think, if I were

to appeal for confirmation to this House, and I were honoured with an answer (which is certainly not very likely,) I should be surrounded by Members, starting up on all sides, declaring that they had never been blessed with the sight of their inanimate, and, fortunately, insensible constituents : or, if they had seen them, it was when, after travelling post-haste to the Lands-end, to undergo the forms and insulting mockery of an election, they had carefully taken them out of their trunks, into which they had recently been transferred from the dignified retirement and security of their solicitor's office.

I say, therefore, that the right of sending Members to Parliament, which is now vested in these rotten boroughs, ought to be abolished, because those places need no separate and distinct representation for themselves : and may be, nay notoriously are, the means of introducing a corrupt influence into this House. As to whether the owners of this borough property ought to receive any compensation or not, as suggested by Mr. Pitt, and I believe lately by a noble Lord near me,* I should say, decidedly not, and for this reason—if this right, this white slave-trading right, was taken away from them, they still would remain in possession of their legal and constitutional property, their lands and their houses, the only property the existence of which they dare openly avow to the world. It would not be depriving them of any thing they

* Lord John Russell.

ought to have, it would be depriving them only of the corrupt and unconstitutional practicability of selling seats in Parliament, or bartering them for places, pensions, sinecures, and other appointments in the gift of the Minister.

Here, Sir, I may observe, that down to the reign of Henry VIII., possibly later, Members of Parliament received wages from their constituents, as I have stated before, which were assessed and levied by a public rate. The practice is undoubtedly in one sense discontinued; for the constituents in many places are now paid themselves for performing their functions, and the Members in return claim and receive their wages in other quarters. This payment, when effected by constituents, operated as a bond of union, and attached their representatives to them as their employers. The principle of payment still, I believe, prevails: but the employers are changed, and, I fear, the people of England do not consider the change as having operated beneficially for their interests.

But, setting aside the delicate question of payment, both as regards the Member and his constituents, surely it cannot be, as Locke has well observed, upon a fair principle of representation, that the Members for boroughs possessing no population, or at most only a few burgage-houses, should have an equal right with the representatives of the largest counties in England, to vote away the money of the inhabitants of those countries, with whom

ment, equally with the inhabitants of other counties, and are therefore *equally concerned with them* to have their knights and burgesses to represent the condition of their county, and they are accordingly authorized to send two knights for the county, and two burgesses for the city." After citing this last Act, I, above all others, may be permitted, in the language adopted in reference to the county I represent, to say on behalf of the unrepresented classes of England, that they are "liable to taxation equally" with other subjects, and therefore ought to be represented in Parliament. Those unrepresented classes, thus contributing to taxation, are copyholders, leaseholders, and householders. Upon these principles, therefore, and in the words of the Chester Act, "as a remedy to restore quietness, rest, and peace," I should propose that they should be admitted to the enjoyment of that privilege.

In order to effect this, I have prepared a bill, with the assistance of a learned friend of mine, whose valuable and efficient co-operation I beg leave now gratefully to acknowledge; and if the House will allow me, I shall, as shortly as possible, detail its provisions and objects. It is divided into three parts. The 1st part relating to householders, and the division of the county into districts, each returning one representative. The 2d, adding copyholders and leaseholders to the county representation. And the 3d, repealing the Septennial Act, and limiting the duration of Parliament to three years.

As to the first part—the necessity of dividing the county into districts must be apparent, in order to give effect to the proposition for enabling *all* householders to vote, as without such an arrangement no householder could vote, unless he resided in a town to which the right of representation was annexed. The effect of a division into districts, would be to give a representative to every 25,000 inhabitants,—of whom, reckoning one in ten to be a householder, paying rates and taxes, 2,500 would be electors. This calculation is made on the assumption that the population of England and Wales amounts to ten millions and a half, to be represented by 417 members; the number remaining, after deducting the county members, and those for the two Universities, whose representation I do not propose to alter. In 1817 it was calculated that the population of London amounted to 1,140,000, the number of houses to 161,882. It would thus appear that one in seven and a half was a householder; and if this scale were to be applied generally, it would give 3,750 constituents to each member: but considering that great allowance must be made for the number of householders who are not rated, and do not pay taxes, as owners of small cottages, and persons receiving parochial relief, I think the fairest and truest estimate will be, that which reduces the calculation to one in ten.

The right of voting I propose should be given in these districts, to all inhabitant householders, *bond*

fide rated to church or poor, or assessed to or paying direct taxes for six months previous to the first day of election, not having received parochial relief; every such person, except persons now disqualified otherwise than as Catholics, to be entitled to vote.

The next provision I was anxious to make, was for the fitness and impartiality of the returning officer for those districts, on the correct and fair discharge of whose duty so much necessarily depends. I propose, that he should be an acting magistrate within the district, and be chosen annually by the overseers and churchwardens; no magistrate to be eligible two years running, or to be bound to act twice within three years. His being elected by those who derive their appointment chiefly from the electors of the district, will inspire greater confidence than if the office were held either permanently, or independently of the inhabitants. I propose also to authorize him to appoint a deputy to attend to the minor details of the duty, which can frequently be better performed by a professional person, whose residence on the spot is always fixed and certain; but that the principal should be bound always to attend at the election. For the purpose of still farther providing for the impartiality of the returning officer, I have inserted a clause, rendering him liable to imprisonment, if he acts corruptly, as is provided in Ireland by the Stat. 57 Geo. 3. c. 131. The magistrate, however, may decline acting as returning officer, on payment of a fine of 200*l.* to the

poor of the district. This provision I have thought necessary, as it is possible that a magistrate might be elected, who had intentions of offering himself as a candidate for the representation of the district.

The election I should propose to take place in the chief town in the district, to commence before twelve o'clock on the first day. If a poll is demanded, to be opened on the same day, or the next at farthest; and to be kept open on all days, except the day of demanding it, for eight hours at least; not to last longer than six days, including the first day of election; to be closed at three o'clock on the last day, and the return to be made immediately, unless a scrutiny be demanded. The returning officer will be obliged to provide a sufficient number of polling booths, separate, and with good access; the votes to be taken in them alphabetically; the letters, for which each booth is designed, to be affixed on the outside. In districts consisting of more than one parish, where the voters reside more than five miles from the chief place of election, votes may be tendered to the overseers of the parish where those voters reside. The poll there taken to last three days: to be kept open five hours each day; only three days are given, exclusive of the first day, in order that the parish-poll may be received the evening before the sixth and final day of the district poll, and thus enable the gross poll to be declared immediately on its close. The object of this arrangement is to prevent the great expense of the conveyance of voters, by enabling all those who cannot, or will not, pro-

ceed at their own expense to the chief town, to tender their votes at a moderate distance from their places of abode; whilst at the same time it leaves unaltered and untouched that spirit, energy, and interest, which always characterize the proceedings of an election held in a populous town, where the candidate appears personally before large bodies of his countrymen, to answer openly for his past conduct, and give such pledges for his future actions as may publicly be required of him.

I wish also to provide for ample public notices of the election being generally circulated throughout the district: at present, such notices are generally given either by proclamation, or by that much calumniated individual, the bellman, whose announcement of the Suffolk Reform Petition has been so much objected to in the early part of this evening, by the Honourable Member for that county.* I propose that the sheriff should issue his precept within three days of the receipt of the writ, to the returning officer of each district within his jurisdiction; the returning officer to give public notice within thirty-six hours of the time and place of election, and to proceed to the election on the Monday next, after two days from the time of giving that notice. Now, by the Stat. 7 & 8 Will. 3, the sheriff is to deliver the precept within three days, and the election must be held within eight days; four days' notice at least being given. This new arrangement

* Mr. Gooch.

would make little difference in the time of holding the election, after the returning officer received the precept, but would secure the election not breaking into two weeks. Every returning officer on the receipt of the precept, to affix notices on the doors of the churches, and on the market-places, of the time and place of election. The overseers to be obliged to make and send alphabetical lists of all persons rated, to the returning officer, within a fortnight after the publication of the rate, as also the collectors of the taxes, after the receipt of their warrants of collection. By this means, the returning officer will be always sure to have the proper rate ready in case of vacancies; as, if it was to be delivered only yearly, it might never be a correct guide. The confusion which arises in taking a poll, would be thereby much diminished, and the opportunities for taking objections lessened.

I propose that all persons now entitled to vote for any borough, or town, or place, now represented in Parliament, should be empowered to vote for life, (or as long as the right, in respect of which they claim, remains,) at all elections in that district within which the place is situated.

All the expenses of these district elections, that are authorized by the bill, namely, those relating to polling-places, clerks, messengers, and other necessary charges, will be paid out of the poor-rates of the several parishes in each district, by warrant from the returning officer and one other magistrate.

This power of issuing a warrant is sanctioned by other instances, somewhat similar. The stat. 27 Eliz. c. 13. §. 5, making the hundred liable for a moiety of the damages received, enacts, that two justices shall rate the different parishes to an equal contribution. The stat. 1 Geo. 1. c. 5. §. 6, adopts the same course for recovery of the sums, referring to the 27 Eliz. These statutes are amended by the 8 Geo. 2. c. 26, and the 22 Geo. 2. c. 46: all of which authorize the assessment to be made by two justices; and, lastly, the 57 Geo. 3. c. 19, adopts the same course, taking as a precedent the 1 Geo. 1. c. 5.

And now, as to county elections—I do not propose to alter the mode in which they now exist, further than by adding, as electors, copyholders and leaseholders, and making the same regulations as to the prevention of expense in the conveyance of voters from distant parts, as I have detailed before in that part of the bill which relates to districts. I conceive copyhold property, whatever it might have been in feudal times, to be now as good as freehold, because the possessor of it cannot be deprived of it, as formerly, at the will of the lord. I propose also, to grant the elective franchise to leaseholders for terms of years renewable at the will of the lessee, and for terms of which twenty-one years are unexpired. (I should here observe, that even now a lease for life is a freehold, and gives a right to vote.) This will enable proprietors under college or other ecclesiastical leases, or under long leases for small and

nominal rents, such as building leases, to vote at county elections; in which privilege I would also join freeholders of 40s. in towns which are counties within themselves, in order to avoid the anomaly which now exists, of there being freeholders in some places who have no right to vote, either for the county or town in which their property is situated.

The polling for counties I propose to be on the same principle as in district elections, for the reasons I have before stated; the votes to be tendered in hundreds or wards to the high constable; but the election to take place in the county town, as now; the duration of the county poll to be ten days, that of the hundred poll five days; the high constable, his deputies and messengers, to receive a certain remuneration. There is no provision of this kind intended for the overseers in districts, because they are numerous, and will not have to go out of their parish. But the office of high constable is generally executed by an individual, who will have some distance to go from home. The sheriff to have the power of appointing as many booths as may be deemed necessary to facilitate the taking the poll. Under the present law, 18 Geo. 2. c. 18. §. 7, he can only appoint as many booths as there are hundreds, from which much inconvenience frequently results. There is no one who has witnessed a contested county election, but must be aware, that it often happens that one booth, for the most populous hundred, is crowded from the first to the last day of the election, to the

great hindrance and inconvenience of the voters, whilst others are constantly empty, and the clerks unoccupied.

I propose that the same oaths should be taken by the electors, under this bill, as at present, with the exception of the Catholic oaths and declarations (provided by the 30 Chas. 2., and 1 Geo. 1.) Those acts, which are now mere instruments of illiberal and impolitic intolerance, of course I shall not embody in a measure of enfranchisement. In addition, however, to the present oaths, are added some to be taken by copyholders, leaseholders, and householders ; as also an oath to be taken by every candidate before his return, and on his taking his seat, that he has not, and will not give or offer any bribe of any description to any voter, or any person in trust for him. This oath to be administered by the Returning Officer, under a penalty of £500. for omission ; and all laws now in force against bribery are to be applied to those convicted, on the evidence of two witnesses, of having offered any inducement to an elector to give his vote.

Finally, all ambassadors, and persons accepting offices under his Majesty, the duties of which are to be executed abroad, will be deemed ineligible ; and, if previously elected, their seats will be vacated on such acceptance ; as, under those circumstances, it would be morally impossible for them properly to discharge their duties to their constituents. I have not made any provision disabling other placemen or pensioners from sitting in Parliament ; because, how-

ever much such a measure may be desirable and necessary in an unreformed, I do not think it required in a reformed House of Commons. An individual accepting a place or pension, will be immediately amenable to the judgment of his constituents ; who, if they disapprove of his conduct, will have the opportunity of expressing that opinion in the most efficacious mode, by ceasing to return him as their representative. On the other hand, if, after mature deliberation, they do not consider his acceptance of such situations or appointments incompatible with the due performance of his duties to them, it would be hard to deprive them of the benefit of those services which they desire and are willing to accept, with the full knowledge of the circumstances under which he again presents himself to their notice. I know that this principle is supposed to be acted upon, even now—but the effect produced is materially and essentially different. Under the present system, the placeman or pensioner who vacates, appeals, in nine cases out of ten, to the judgment of nominal or mock constituents. Under the operation of this bill, the elective body will be so numerous, and so independent, that their decision will always be formed on a consideration of what is most conducive to the general interests of the country ; without any reference to those selfish and corrupt views, which now unhappily influence the proceedings of those select bodies, in whose hands the borough representation is vested.

I have not extended the provisions of this act

beyond England and Wales, because a noble friend of mine* has already given notice of a motion on the subject of the representation of Scotland, which he wished should be kept separate; and it would be easy, if the bill was carried, to include in it both that country and Ireland.

I have now gone through the principal and most important details of this bill. It is not my intention now to move for leave to bring it in. I shall pursue the course adopted by the learned member for the University of Dublin, with regard to the Catholic claims, and shall conclude this day, by moving that this House will resolve itself into a committee of the whole House, to consider of the state of the representation. If that committee is granted me, I shall move in it resolutions embodying the principle on which this bill is founded, recommending its introduction, and asserting the expediency of thus far extending the elective franchise, as founded on a recurrence to the first principles of the Constitution, which declare, according to Lord Chatham, that to be taxed without being represented, is contrary to the maxims of law and reason, and strengthened by the evident tendency of many acts of the Legislature, which prove that defects in our representative system have been amended when the exigencies of the State required.

It will be but fair here to state, that I consider no one, who votes for going into the committee, as at

* Lord A. Hamilton.

all pledged to the principle of the bill : I consider such a vote as merely sanctioning the assertion that the state of the representative system is such as to require consideration in this House, with a view to its amendment.

I well know, that in advocating the propriety of an extended change, I shall be opposed by the misrepresentations of some, the sophistries of others, and the fears of many—fears which it has been the object of a certain class of politicians to excite upon all occasions, and through them to carry on the government of this country—a system which has never been considered as auspicious to the existence of liberty in any country, or at any period. It was first commenced at the French Revolution by Mr. Pitt, to cover his abandonment of his early principles, and his adoption of that very system under which he had declared no minister *could* act honestly. This mode has been carried on to the present day, and our minds, it seems, are still to be alarmed by visions of anarchy and confusion, to be realized whenever the people are put in possession of those elective privileges which their ancestors once peaceably enjoyed. I should have thought that a participation in acknowledged rights and benefits, was not the surest incentive to treason and disaffection—but rather a security for submission and tranquillity. It was on the latter principle, I imagine, that our ancestors acted, when they granted the solicitations of the inhabitants of

Wales, Chester, and Durham, and recorded in the most solemn manner on the statute book, their conviction that affording large classes of the community an interest in the constitution, was the best, and wisest, and safest mode of providing for its well-being and peramneny.

The system pursued by the gentlemen opposite is widely different. They obstinately exclude the petitioners of the present day ; heap on them every term of reproach which the ingenuity of wit, or the bitterness of sarcasm, as administered by the Right Hon. Member for Liverpool,* can supply, and then express astonishment and alarm at the feelings which they hear repeated and re-echoed on all sides. To repress these, innumerable acts of restraint and coercion have been proposed by them, and of course adopted by parliament. The right of publicly meeting to discuss public affairs has been fatally abridged, and the result of this is an awful—sullen silence ; still they are not satisfied : nor can it be a matter of surprise---the debate of last night† sufficiently shews that they do not forget the insecurity of power founded on force, and force alone. Hence is to be traced the course of all their proceedings, tending manifestly to one object---the repression of that voice of public complaint ; which, I will tell them, may yield to conciliation, but never will to severity.

* Mr. Canning.

† On Yeomanry Corps, in the Army Estimates.

Yet, in the midst of all their alterations of the laws in order to smother these complaints, they at the same time talk loudly of the dangers of innovation ! Who, I should be glad to ask, are the greatest innovators ? They who seek to restore the purity of the Constitution ? or they who suspend the Habeas Corpus Act—pass Indemnity Bills—suspend the right of publicly meeting—who attack the liberty of the press by taxation and banishment ?—These, and many other atrocities have been perpetrated by the Ministers opposite, and yet they have the effrontery to charge others with that very crime, of which they, above all men, are most guilty. On my part, I deny the charge of innovation : I ask no privileges, which have not already been enjoyed by our ancestors, and to which I do not consider their posterity as entitled on every ground both of justice and expediency.

Before I conclude, I must notice two arguments which have greatly been insisted upon as fatal to reform. The one is, that the present system, however faulty in theory, works well in practice ; the other, that were it not for rotten boroughs, men of talent, without property, would be excluded from seats in this House. That this system works well in practice for the honourable gentlemen opposite, their friends, their relations, and their families, I cannot deny : the fact is unquestionably proved by a reference to the Place Lists and Pension Lists ; but that it works ill for the country, is as surely demonstrated by a

view of its present state and condition. If any man will prove to me that the country is rich, flourishing, and contented—happy at home, and respected abroad—I will then own to him that the system works as well for the people, as it evidently does for the gentlemen opposite. As for the other assertion,—I deny that the effect of a reform would be to exclude men of talent, without property, from the House of Commons. History has always proved, that characters of such a description have much sooner found their level under a free and constitutionally representative government, than under a corrupt or a despotic one. But even if that were the case, I hold it to be no argument against reform. For, was this House originally intended as a theatre for the display of talents and abilities? Or was it provided as an institution, forming a check on the power of the crown? in which honesty and independence would be infinitely more valuable, especially in the exercise of its most important function, the management of the public revenue, than all the rhetorical exhibitions which could be held up to popular admiration. If this latter be the correct view of the question, then I submit that I am entitled to make the talents of the members secondary to the purity of the House. To take the case into private life, I must confess, that in my own establishment, I would much rather be served by a man of plain, downright, even stupid honesty, than by the

most eminently gifted rascal that ever wore a livery.

I fear that I have detained the House too long ; but the question is so extensive and complicated, that even now I feel conscious that I must have omitted many arguments and statements which bear strongly on the case. All I beg is, that its merits may not be affected by my demerits ; and that the House will consider its real and serious claims on their attention, without any reference to its advocate. This is not a time at which PUBLIC OPINION can be trifled with ; it is making rapid and mighty progress throughout the world. Wherever it is resisted, as in Italy, the results are deplorable, and all tend to some great convulsion. Where its power and justice are acknowledged, as in Spain, the prospect is most cheering. We see disaffection instatanneously quelled—venerable and rotten abuses reformed—superstition eradicated—and the monarch and the people united under a constitution, which alike secures the privileges of the one, and the liberties of the other. May I not then consistently hail the rising of this star, in what was once the most gloomy portion of the European horizon, as a light to shew us the way through all our dangers and difficulties—as a splendid memorial of the all-conquering power of PUBLIC OPINION ? If there be any, who deny the existence of that feeling in this country, steadily directed towards a reformation of all public abuses, I am not one of those. If there be any, who shrink from advocating this great and vital question in this House, and thus attempting

to stem the torrent of corruption, on account of the obloquy or calumny by which they may be assailed, again I say, I am not one of those---

----- Though perils did
 Abound as thick as thought could make them, and
 Appear in forms more horrid—yet my duty,
 As doth a rock against the chiding flood,
 Should the approach of this wild river break,
 And stand unshaken.

Sir, I move you, that this House do resolve itself into a Committee of the whole House, to consider the state of the representation of the people in parliament.

B I L L

*For effecting a Reform in the Representation of the
People in Parliament.*

WHEREAS many Boroughs and Towns in England and Wales which now send Burgesses to parliament have fallen greatly into decay, and contain but few Voters to return such Members to Parliament: **AND WHEREAS** many other towns and places of great wealth population and consequence do not return burgesses to serve in parliament: **AND WHEREAS** many persons inhabitants and householders in various parts of England and Wales have no right to vote at and have no voice in the election of any members to serve in parliament, and yet are liable to all payments rates and taxes granted by parliament equally with persons voting in the election of Members to serve in parliament, and are therefore equally interested and concerned with them to be truly and faithfully represented in parliament; by means whereof the representation of the people of England and Wales in the Commons House of parliament has become and is greatly defective: **AND WHEREAS** it is just and equitable that that which affects all should be imposed only by the common assent of all, and that none should be taxed but by their representatives duly and fairly chosen by themselves; For remedy whereof therefore, and for the promoting and maintaining the prosperity of the crown, and the satisfaction and contentment of the people,

Preamble.

BE it Enacted by the King's Most Excellent Majesty, by and

Boroughs returning Members at present not to return after the present Parliament, except the two Universities.

with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the termination of this present Parliament, the several cities towns boroughs cinque ports and other places within England and Wales, which have heretofore been accustomed to return citizens burgesses and barons to serve in Parliament, save only the two Universities of Oxford and Cambridge, shall from thenceforth cease to return such citizens burgesses and barons as aforesaid to serve in parliament as heretofore.

England and Wales divided into Districts for the purpose of returning Members to Parliament.

AND for the providing more fully and equally for the due representation of the people of England and Wales in the Commons House of Parliament, Be it further Enacted, That the several counties cities boroughs towns and other places throughout England and Wales, shall, for the returning of members to parliament and for the purposes of this Act, be divided into the several districts of boroughs contained in the Schedule to this Act annexed marked (A); and that from and after the termination of this present parliament each of the said several districts shall in all future parliaments to be holden in and for the United Kingdom of Great Britain and Ireland return such one or more member or members to represent such districts respectively in parliament as are set and placed against such districts respectively in the said Schedule hereunto annexed marked (A) to be elected and returned in manner hereinafter provided.

When the Town at which the Election is directed to be held is in the jurisdiction of any Sheriff, all places in that District to be held to be within his jurisdiction for the purposes of this Act.

AND whereas certain parts of some such districts are situated in separate and distinct shires counties or jurisdictions; Be it therefore further Enacted, That for the purposes of this Act every parish village hamlet or other place whatsoever forming part of any

such district shall be taken and held for all the purposes of this Act to be in the same shire county and jurisdiction wherein the place whereat the election for such district is hereby directed to be held as hereinafter provided shall be situated, and shall from and after the issuing of the writ for holding any such election as hereinafter provided be taken to be subject in all respects for the purposes of such election and for the preservation of the peace during the continuance of the same, to the authority control and jurisdiction of the sheriff or sheriffs and all magistrates of that shire or county wherein such place appointed for holding such election as hereinafter provided shall be situate, and to the jurisdiction of the returning officer of such district, in like manner as if such parish township village hamlet and other place forming part of such district had been actually situate in the same shire county and jurisdiction and subject to the same controul and jurisdiction as such place appointed for holding such election.

AND be it further Enacted, That when any new parliament shall at any time hereafter be summoned or called, that in lieu of the writs heretofore issued by the Lord High Chancellor

Writs to be issued by
Lord Chancellor on new
Parliaments.

of Great Britain for the election and return of citizens burgesses and barons for cities boroughs towns cinque ports and other places other than the several shires of England and Wales and the said two Universities of Oxford and Cambridge, the said Lord High Chancellor shall issue writs made and sealed under the great seal of Great Britain in like manner as writs have heretofore been accustomed to be issued for the election and return of such citiznes burgesses and barons as aforesaid, which said writs shall be directed to the sheriff or sheriffs of each and every county of Great Britain and Wales; whereby the said sheriffs respectively shall be commanded to cause to be elected freely and indifferently such member or members for each and every district within the county bailiwick or jurisdiction of such sheriff or sheriffs respectively as are in this Act directed and

required to be elected and returned, and such sheriffs respectively shall be thereby required to return the same in like manner as such sheriffs or other persons, to whom such writs for the election of citizens burgesses and barons as aforesaid have heretofore been directed, have been required to return such citizens burgesses and barons, and such writs shall be forwarded conveyed delivered and transmitted to and received and dealt with by such sheriffs respectively in like manner as writs for the election of members to serve in parliament are now required to be forwarded conveyed delivered and transmitted received and dealt with under and by virtue of the several Acts made and now in force concerning the delivery and conveyance of writs for the election of members to serve in parliament.

AND be it further Enacted, That during the sitting of any parliament which shall be held after the termination of this present parliament, when any vacancy shall occur in the representation of any such district or districts throughout England and Wales as aforesaid by the death or other removal of any member or members having represented such district or otherwise, such writ or writs as aforesaid shall be issued for supplying the vacancy or vacancies thereby occasioned, directed to the sheriff or sheriffs of the county or counties respectively wherein such district or districts shall be situated respectively, in like manner as writs for the choosing and returning citizens burgesses and barons are now issued during the sitting of the high court of parliament, according to the ancient jurisdiction and authority of the commons house of parliament, in that behalf accustomed and used, and the several Acts made and now in force respecting the issuing of the same.

AND be it further Enacted, That for the providing of fit and competent persons to be returning officers in the said several districts respectively, the churchwardens chapelwardens and overseers of the poor of each and every parish township chapelry hamlet or

Who shall be Returning Officers.

Magistrates to be elected by Overseers and Churchwardens as Returning Officers.

other division in each and every of the said several districts shall on the fourth Monday next after Easter day, or in default thereof so soon after as they shall be required by public notice in writing signed by any two inhabitant householders of such district, or by any one magistrate having jurisdiction in such district, and published in some newspaper usually circulating in such district, in each and every year after the passing of this Act, meet in the vestry room or other most usual place of holding vestries within the principal town village parish township chapelry hamlet or other division of such district whereat the election for such district is hereby directed to be holden as hereinafter provided, and after electing a chairman of such meeting, who shall have the casting vote in such meeting, on all questions put to the vote at such meeting where there shall be an equality of votes on such questions, but who shall not otherwise vote thereon, shall proceed to elect by a majority of voices of those present at such meeting some one acting magistrate within such district or within some borough town or other separate jurisdiction within such district, if any such there shall be, and if not then some acting magistrate within the borough town hundred riding county or other division wherein such district shall be situate, such magistrate not being a peer of the realm or clerk in holy orders, to become and act as returning officer for such district for which he shall be chosen as aforesaid, for the year commencing from the first day of June next after such day of election, and until some other person shall be duly chosen in his stead as such returning officer, and such magistrate shall be and become, when so chosen and elected as aforesaid, the returning officer of such district for the year commencing from such first day of June next after such day of election and until some other person shall be duly chosen in his stead as such returning officer and shall after notice of such election by the chairman of such meeting, which notice such chairman is hereby required to give in writing to such magistrate and also to the sheriff or sheriffs of the county wherein such district shall be situate within twenty days next after such election, be bound to perform and execute

all the duties of such returning officer, and to preside at all elections of a member or members to serve in parliament within the district for which he shall be chosen such returning officer, as aforesaid, during the time that he shall be and continue such returning officer, and shall execute all such duties in like manner and shall take the like oaths and be subject to the like pains penalties rules laws regulations directions immunities and disqualifications as the returning officers of any borough town cinque port or other place now sending members to parliament, excepting as is herein otherwise particularly provided and enacted: Provided always, that no such magistrate shall be eligible to be or shall be elected as such returning officer for two successive years, or shall be bound to accept the office or to perform the duties of such returning officer for the same district within three years from the time of such magistrate's having been the returning officer of such district.

AND be it further Enacted, That it shall and may be lawful for any such magistrate who shall be chosen and elected the returning officer of any such district to nominate and appoint some fit and proper person or persons as his deputy or deputies, and to name and appoint some place or office within such district, giving notice thereof to the sheriff or sheriffs of the county wherein such district shall be situate, where the duties of such returning officer shall and may be performed; and any person or persons accepting such nomination and appointment shall be bound to perform and execute all the duties of such returning officer (excepting the duty of presiding at elections in such district, which every returning officer shall be bound to perform in person excepting in the case of serious illness or some urgent and sudden necessity, in which case such deputy or deputies may act in his behalf) in like manner as any returning officer would be likewise bound to perform the same; and all notices precepts and other proceedings served at such place shall be held to be good to all intents and purposes

Returning Officer giving Notice to Sheriffs may appoint a Deputy, and Office where Duties of returning Officer shall be executed.

and binding on such returning officer as if the same had been served at the dwelling house of such returning officer, any thing herein contained to the contrary notwithstanding; and any returning officer or deputy returning officer and each of them who shall refuse or neglect to perform his duty as such returning officer or deputy returning officer, when duly required so to do, shall forfeit £ with treble costs, for each and every such instance of refusal or neglect, to any person suing for the same in any of the courts of Westminster.

AND for the purpose of guarding against corrupt and partial conduct of returning officers at elections of members to serve in parliament for such districts, Be it further Enacted, That every returning officer or deputy returning officer who shall be by due course of law convicted of having acted corruptly or partially in the execution of his duty of returning officer or deputy returning officer of any such district, at any election of member to serve in parliament for such district, shall be adjudged guilty of a high misdemeanour, and be imprisoned for such time, not exceeding three years nor less than one year, as to the court, before whom such returning officer shall be tried, shall seem fit and meet: and such person so convicted shall from thenceforth be incapable of acting as a magistrate or of holding any office under the Crown.

Returning Officer acting corruptly to be imprisoned and rendered incapable of acting as a Magistrate or holding any Office under the Crown.

AND whereas it may happen that in some instances magistrates may be chosen returning officers for districts for which such magistrates have an idea of offering themselves as candidates for the representation thereof: And whereas such magistrates would be disqualified by the existing laws as such returning officers from representing the district for which they were respectively such returning officers, and might therefore be prevented from offering themselves as such candidates; Be it therefore further Enacted, That if any magistrate shall be chosen or elected re-

Magistrates may decline, and pay £200 Fine to the Poor.

turning officer of any district for which he may intend to offer himself as a candidate to represent such district in parliament, it shall and may be lawful for any such magistrate, on giving notice to the sheriff or sheriffs of the county wherein such district shall be situate, and paying a fine of £200 to such sheriff or sheriffs for the use of the poor of the several parishes hamlets villages chapelries townships or other divisions within the district whereof he shall be so chosen or elected such returning officer, and to be paid by such sheriff or sheriffs to the respective overseers of the poor thereof, to decline to act as such returning officer on such election ; and every such sheriff or sheriffs on the receipt of such notice, and also when and as often as any vacancy shall occur in the office of returning officer in any district within the bailiwick or jurisdiction of such sheriff or sheriffs by reason of the death of such returning officer, or by any such returning officer becoming a peer of the realm, or a clerk in orders or otherwise, shall forthwith cause good and sufficient notices thereof to be given to the respective churchwardens chapelwardens and overseers of the poor of the several parishes hamlets villages chapelries townships and other divisions within such district, commanding them to meet at some time to be mentioned in such notices, and at the usual place of such meeting, to be also mentioned in such notices, for the purpose of electing some other such magistrate as and for the returning officer of such district, and such churchwardens chapelwardens and overseers of the poor shall accordingly meet in pursuance of such notices and shall proceed to the election of some other such magistrates as and for such returning officer in like manner as is hereby prescribed and directed for the annual election of such returning officers ; and any such magistrate so elected at such meeting shall serve as such returning officer for the current year of such election, and until some other person shall be duly chosen as herinbefore provided as such returning officer.

AND be it further Enacted, That from and after the termination

of this present parliament the sheriff or sheriffs of each and every county throughout England and Wales shall forthwith, on the receipt of any such writ or writs

Sheriff to issue Precept to elect on Monday next after two clear Days Notice.

as aforesaid for the election and return of any member or members for any district or districts within his or their bailiwick or jurisdiction, make out, and within three days from the time of the receipt of the said writ deliver, his or their precept or precepts under his or their seal or seals to the returning officer of each and every district within the bailiwick of such sheriff or sheriffs for which such member or members shall be directed to be elected or returned, reciting the said writ and commanding such returning officer to proceed to such election and to make his election of the member or members who shall be chosen for such district, to such sheriffs or sheriffs according to due course of law; and every such returning officer upon the back of the same precept shall endorse the day of his receipt thereof in the presence of the party of whom he received such precept, and shall within thirty six hours then next following cause public notice to be given of the time and place of election, and shall proceed to election thereupon, on the Monday next after two clear days whereof Sunday may be one, from the time of giving such notice.

And be it further Enacted, that besides the public notice to be given as aforesaid, it shall be the duty of every returning officer of every district, and they are hereby required re-

Public Notices to be affixed on all Churches and Market Places.

spectively as soon after the receipt of such precept respectively is received as conveniently may be, and not later in any case than by twelve o'clock at noon on the Saturday next preceding the day of election, to cause public notices in writing to be affixed in some conspicuous part on the principal door of every church or chapel, and also on the market place, or if none then on some other most conspicuous place within every parish township chapelry hamlet or other place within the district whereof they

shall be such returning officers respectively, stating the time and place of holding such election, and the places if more than at the place of holding such election as hereinafter provided, where any votes within such district may be tendered and recorded, and shall for that purpose use the several forms contained in the schedule hereunto annexed marked (B) as the same may be applicable to such purpose.

And be it further Enacted, that from and after the termination of this present parliament the right of election of a member or members to serve in parliament for such several districts in England and Wales as aforesaid respectively, shall be and is hereby declared to be in the inhabitant householders within such districts respectively who shall have been *bona fide rated* to the church or poor within such districts respectively, or shall have been assessed towards and shall have paid any direct public taxes within such districts respectively for six calendar month previous to the first day of election, not having for such time received alms or charity in the way of parochial relief, and in none others, except as is hereinafter particularly provided; and that from thenceforth it shall and may be lawful to and for every such inhabitant householder within any such district as aforesaid, who shall at any election for a member or members to serve in parliament for such district be of the age of twenty-one years, to vote for such member or members at such election: Provided nevertheless, that no person or persons shall be entitled to vote at such election who would be disqualified from voting at elections of members to serve in parliament according to the laws now in force respecting the disqualification of any person or persons to vote in the election of any members to serve at this present time in parliament, except persons professing the roman catholic religion, who are hereby declared to be entitled to vote at such election; and the returning officer for the time being of every such district as aforesaid to whom the return of every writ or precept for the election of any member or mem-

bers to serve in parliament for any such district shall belong, shall return to the sheriff or sheriffs of the county wherein such district shall be situate the person or persons to serve in parliament for such district who shall have the major number of such votes within such district, not being disqualified from voting as aforesaid.

AND be it further Enacted, That every person or persons before he or they is or are admitted to poll at any such election as aforesaid, shall, Oaths to be taken.
if duly required so to do, take and subscribe all the several oaths and make all the several affirmations and declarations directed by the laws now in force to be taken and subscribed and made by persons voting in the election of burgesses to serve in parliament at this present time, as far as may be applicable to such person or persons respectively, excepting only the oath generally called the oath of supremacy. and the declaration generally called the declaration of test, and such oaths and declarations as relate to the roman catholic religion; and every inhabitant householder before he is admitted to poll at any such election shall, in addition thereto, if required by any candidate at such election, or any person having a right to vote at such election first take the oath, or being a quaker, the solemn affirmation following; that is to say,

“ I, *A. B. (signifying his trade or profession)* do swear (or
“ solemnly affirm) that I am an inhabitant householder
“ of this district, and that the place of my abode is at
“ in the parish (or, hamlet, &c. as
“ the case may be) of (stating his place of
“ residence) in this district, and that I have for the space
“ of six months immediately previous to this election, to
“ the best of my knowledge and belief, been rated to the
“ relief of the poor of the said parish (or, hamlet, &c.) of
“ or have been assessed towards and have paid
“ direct public taxes within the said parish (or, ham-
“ let, &c.) and that I am twenty-one years of age to

“ the best of my knowledge and belief, and have not before
 “ been polled at this election for this district.”

Which oath or solemn affirmation the returning officer of such election, or his deputy or any poll clerk, or person taking the poll, shall be and are hereby authorized and empowered and required to administer.

PROVIDED always, and be it further Enacted, that any person

Persons now entitled to
 vote for any Borough, &c.
 to be entitled to vote for
 Life.

or persons who may now have, or who
 shall before the termination of this pre-
 sent parliament acquire, a perfect right
 to vote in the election of any citizen bur-

gess or baron to serve in parliament for any city borough town
 cinque port or other place now sending members to parliament,
 shall after the termination of this present parliament be entitled
 to vote in respect of such right of voting now had or before the
 termination of this present parliament acquired and so long as
 such right shall continue vested in such person or persons, in
 the election of a member or members to serve in parliament for
 the district, or districts if more than one, wherein such city bo-
 rough town cinque port or other place shall be situate, although
 such person or persons shall not be inhabitant householders
 qualified to vote at such election or elections; any thing herein

contained to the contrary notwithstand-

Oaths to be taken.

ing: And such person or persons, be-

fore he or they is or are admitted to poll at any such election,
 shall if required by any candidate or any person having a right
 to vote at such election, first take the oath, or being a quaker,
 make the solemn affirmation following; that is to say,

“ I, A. B., (mentioning his trade or profession) do swear (or
 “ solemnly affirm) that I reside at (mentioning his place of
 “ residence) that I had on the day of
 “ (mentioning the day on which this present parliament shall
 “ terminate) a perfect right to vote in the election of bur-
 “ gesses (or, citizens, &c.) to serve in parliament for the
 “ borough (or town, &c. as the case may be) of

" (stating the borough or town) as a (stating the right of voting) and that such right still remains vested in me to the best of my knowledge and belief; and that I have not before been polled at this election for this district."

AND be it further Enacted, That the election for each and every of the said districts shall be had and held Place of Election and
Duration of Poll.
at such place and places within the said districts respectively as are put and placed opposite to the said several districts respectively in the said schedule hereto annexed marked (A) and named in the said schedule as the place of holding such elections respectively, and in no other place or places except in the case of any extraordinary and urgent necessity; and such elections shall respectively commence before the hour of twelve o'clock at noon on the first day of such elections respectively, and shall be proceeded in and conducted in all respects as elections for any burgess or burgesses for any borough or other place are now by law directed to be proceeded in and conducted, except as herein is particularly otherwise provided and enacted: Provided nevertheless, that when any poll shall be demanded at any such election, such poll shall commence on the day on which it shall be demanded, or on the next day at the farthest, and shall be duly and regularly proceeded in from day to day, and shall be kept open for eight hours at the least in each day, except the day of demanding the same, between the hours of seven in the morning and eight in the evening, till the same be finished, but so that no election shall continue more than six days at most, including the first day, and so that every poll shall be finally closed at or before the hour of three in the afternoon of the Saturday next after the first commencement of the said elections; and the returning officer at every such election shall immediately or as soon as conveniently may be, and within one hour after the final close of the poll if kept open till the sixth day, truly fairly and publicly declare the name or names of the person or persons who have the majority of votes on such poll, and shall forthwith make a

return of such person or persons, unless such returning officer, upon scrutiny being demanded by any candidate or any two or more electors, shall deem it necessary to grant the same, in which case the same shall be proceeded in according to the laws now in force relating to the election of members to serve in parliament at the present time.

And be it further Enacted, That at every such election the returning officer shall appoint make hire or erect, or cause to be appointed made hired or erected, such numbers of convenient booths or polling places separate and distinct from each other, not being fewer in districts where one member shall be directed to be returned than four, and in districts where two members shall be directed to be returned not being fewer than eight, as shall seem to him necessary and convenient, with good and free separate access thereto respectively, for taking the poll without tumult or confusion, which said booths or polling places shall be used respectively for taking the poll according to the alphabetical order of the names of the voters; and such returning officer shall affix or cause to be affixed on the most public part on the outside of each of the said booths or polling places the letter or letters for which such booth or polling place shall be allotted or designed, and sufficient notification of the intent thereof, and all voters shall tender and give their votes only at such booth or polling place as shall be allotted or designed for the letter wherewith the surname of such voter respectively shall commence, excepting in the case hereinafter provided for; and such returning officer shall appoint or cause to be appointed a proper clerk or clerks at each of the said booths or polling places to take the poll (which said clerk or clerks shall be paid such reasonable sum not exceeding one guinea per day each clerk) as shall appear fit and proper to such returning officer; and the said returning officer shall also give notice in writing before the commencement of the poll, to each and every of the candidates or their agents at such election, of the situation of all booths or

polling places so appointed made hired or erected, and immediately on the increase of any such booths and polling places, of such additional booths and polling places, and of the letters to which each of such booths or polling places is allotted or designed.

AND be it further Enacted, That the churchwardens chapelwardens and overseers of the poor respectively of every parish hamlet chapelry township or other division having Overseers to make and send Lists of Persons rated. separate church or chapelwardens or separate overseers of the poor within any such district, shall respectively, and they are hereby required within one fortnight next after the publication of any and all poor or church or chapel rate or rates for such parish hamlet chapelry or township, to make out and deliver at the dwelling house of the returning officer or at the office appointed for executing the duties of returning officer of such district, an alphabetical list or lists containing in alphabetical arrangement the surname of every person rated in such rate or rates to the church or poor respectively within such parish hamlet chapelry township or other division, together with the Christian name if known and the place of abode of every such person within such parish hamlet chapelry or township; and every collector of assessed taxes collecting any such taxes within any part of such district shall within one fortnight next after the receipt of any warrant to collect such taxes, make out and deliver at the dwelling house of such returning officer or at such office as aforesaid, an alphabetical list or lists containing in alphabetical arrangement the surname of every person from whom such collector shall be directed, in and by such warrant, to collect or levy any such taxes within any part of such district, together with the Christian name if known and the place of abode of every such person within such district; and every returning officer of such district shall upon any election to be held for such district deliver or cause to be delivered copies, to each and every poll clerk appointed by such returning officer of such district, of such

increase them ; for the longer a Parliament is to last, the more valuable to be purchased is a station in it, and the greater also is the danger of corrupting the Members of it ; for if ever there should be a Ministry who shall want a Parliament to screen them from the just resentment of the people, or from a discovery of their ill practices to the King, who cannot otherwise, or so truly be informed of them, as by a free Parliament, it is so much the interest of such a Ministry to influence the elections, (which by their authority, and the disposal of the public money, they, of all others, have the best means of doing,) that it is to be feared they will be tempted, and not fail to make use of them ; and even when the Members are chosen, they have a greater opportunity of inducing very many to comply with them, than they could have, if not only the Sessions of Parliament, but Parliament itself, were reduced to the ancient and primitive constitution and practice of frequent and new Parliaments : for as a good Ministry will neither practise nor need corruption, so it cannot be any Lord's intention to provide for the security of a bad one."

This measure, which I cannot but characterize as a most daring and unconstitutional exercise of Parliamentary authority, was undoubtedly founded on circumstances of temporary necessity, to be justified only by the fact, that if an election had then taken place, it would have been matter of great uncertainty, whether a majority would not have been returned adverse to the Brunswick family, and to the existence

of those civil and religious liberties, for the maintenance of which they had been elected and summoned to the Throne. Upon this subject, I know historians have widely differed ; my own opinion is, that however much posterity may feel grateful for the result which attended that measure, as far as regarded the eternal expulsion of the Stewart family, they must always reprobate the means by which it was obtained, as having established a most dangerous precedent, and opened a source of parliamentary corruption, which it was the most earnest endeavour of our ancestors at the Revolution to eradicate.

I should not, therefore, consider any alteration beneficial which did not include a recurrence to Triennial Parliaments, affording, as they would, the very best security for that frequent communication between the representative and his constituents, the absence of which is but too apt to render him entirely independent of them, and regardless of any interests but his own.

The next point to which I shall call the attention of the House, regards the electors and elected. After the best research which I can make into the subject, and the maturest deliberation, I remain convinced, that until the reign of Henry VI. all English freemen were entitled to vote for representatives. Without going into the remote ages of our Saxon ancestors, I find this doctrine acknowledged by declarations from Sovereigns in various forms, and by a special Act of Parliament. Edward I. in his first writ of summons

to the Sheriffs, requires the return of two Knights, who are to be chosen by the *commonalty of each county*, and two citizens and burgesses by the commonalty of each city or borough: and gives as his reason, what he justly calls a most equitable one, namely—"that what concerns all, should be approved by all; and that dangers common to all, should be obviated by remedies provided by all." In the same spirit was it, I apprehend, that Edward III. said, in reply to a petition from the House of Commons in favour of annually holding Parliaments, and the restriction of voting to what they called the better people in counties—"as to a Parliament every year, there are statutes and ordinances made; let them be duly kept and observed; as to the choice of knights, the King wills that they be chosen by the *common assent of the whole county*." At last, in the 7th of Hen. 4, this important principle was solemnly recognized in the Statute Book. The Act runs in this form: "Our Lord the King, at the grievous complaint of his Commons, of the undue elections of knights for counties for the Parliament, which be sometime made by affection of the sheriff, and otherwise against the form of the writs directed to the sheriff and the great slander of the counties, and *hindrance of the business of the commonalty* in the said county," &c. &c. It provides therefore "as a remedy, that at the next county court after the delivery of the writ, *all they who be there present*, as well suitors duly summoned for the same cause, *as others*, shall attend

to the election of their knights, and then in the full county shall proceed to the election freely and indifferently." Now, if the word "suitor" was not sufficiently comprehensive, the term "and others" clearly proves that all freemen were intended to participate in the election ; and in those days nearly every freeman was possessed of some degree of property from which he contributed to the support of the State. This act was still farther recognized in the 11th of Hen. 4. and the 1st of Hen. 5. ; but the latter makes residence a necessary qualification both for electors and elected.

At length, one hundred and thirty-four years after this right had been exercised by the people of England—namely, from the time of Edw. 1. to Hen. 6.—the disqualifying statute was passed in the 8th year of the reign of the latter King. It recites, "that elections of knights in many counties had of late been made by great, outrageous, and excessive numbers of people, *dwelling within the same counties*, of which the most part was people of small substance and no value, *whereof every of them pretended a voice* equivalent with the most worthy knights, whereby riots, batteries, and so on, among the gentlemen and other people."—(The House will naturally suppose the sentence concluded with "unhappily have occurred : " on the contrary, all we find is)—"*shall very likely rise and do*—and therefore provides that knights of the shire shall be chosen by people dwelling and residing in the same counties, *whereof every one of them shall*

have free land or tenement to the value of 40s. by the year at least above all charges, and that they which shall be so chosen shall be dwelling and resident within the same counties."

From this period is to be dated the transfer of the elective franchise from all freeholders and all freemen, to freeholders of the amount of 40s. a year : a period marked also by another most glaring invasion of the liberties of the people ; the adoption of an act compelling labourers and artificers to work for low wages, under severe fines and penalties. As, therefore, all persons denominated *liberitenentes*, and all freemen *possessing property, however small its value, from which they contributed to taxation*, enjoyed the right of voting, until they were most treacherously and tyrannically disqualified by this act of Henry VI. ; so, I say, now, all Englishmen, possessing the same qualifications, ought to resume those rights which were shamefully wrested from their ancestors under the most false pretences, for the preamble of the Bill which I have just read, fully exposes the weakness and absurdity of the reasons alleged ; and effected also under circumstances, and accompanied by other measures, bearing no other stamp than that of the most arbitrary power.

The Stat. 23 Hen. 6. c. 14. recognizes in its recital an act passed in the 1st Hen. 5. respecting what sort of persons shall be choosers, and who shall be chosen knights and burgesses ; and declares that

knights of the shire shall not be chosen unless they are *resident* within the shire, and the choosers also *resident*, and the same with regard to cities and boroughs. These laws, as to residence, were not repealed until the 14 Geo. 3. c. 58; and the reasons assigned in the preamble to that act are most ludicrous—that the provisions in them had been found by long usage to be unnecessary, and had become obsolete. The fact was, that the qualifications there insisted upon as to residence, had long been purposely evaded, or manifestly disregarded, from the most corrupt motives, although the statutes were positive and unrepealed. In these enactments, the principle of a fair and just representation is to be recognized; namely, that no county, city, or borough, should be represented but by persons resident in, or free of them, and consequently acquainted with their various interests and necessities. But is this principle, just as it is, at all applicable to the present state of the borough system? Many of these boroughs, formerly populous and flourishing, and therefore represented, are now decayed and depopulated; consisting, in many instances, only of posts or stones, denoting merely the site of former dwellings. Is it according to the spirit of the Constitution? Is it according to the tenor of the statutes I have just cited, that these substances should return Members to Parliament? And how are they represented? By burgesses “resident in or free of” these boroughs? By no means. I think, if I were

to appeal for confirmation to this House, and I were honoured with an answer (which is certainly not very likely,) I should be surrounded by Members, starting up on all sides, declaring that they had never been blessed with the sight of their inanimate, and, fortunately, insensible constituents : or, if they had seen them, it was when, after travelling post-haste to the Lands-end, to undergo the forms and insulting mockery of an election, they had carefully taken them out of their trunks, into which they had recently been transferred from the dignified retirement and security of their solicitor's office.

I say, therefore, that the right of sending Members to Parliament, which is now vested in these rotten boroughs, ought to be abolished, because those places need no separate and distinct representation for themselves : and may be, nay notoriously are, the means of introducing a corrupt influence into this House. As to whether the owners of this borough property ought to receive any compensation or not, as suggested by Mr. Pitt, and I believe lately by a noble Lord near me,* I should say, decidedly not, and for this reason—if this right, this white slave-trading right, was taken away from them, they still would remain in possession of their legal and constitutional property, their lands and their houses, the only property the existence of which they dare openly avow to the world. It would not be depriving them of any thing they

* Lord John Russell.

ought to have, it would be depriving them only of the corrupt and unconstitutional practicability of selling seats in Parliament, or bartering them for places, pensions, sinecures, and other appointments in the gift of the Minister.

Here, Sir, I may observe, that down to the reign of Henry VIII., possibly later, Members of Parliament received wages from their constituents, as I have stated before, which were assessed and levied by a public rate. The practice is undoubtedly in one sense discontinued; for the constituents in many places are now paid themselves for performing their functions, and the Members in return claim and receive their wages in other quarters. This payment, when effected by constituents, operated as a bond of union, and attached their representatives to them as their employers. The principle of payment still, I believe, prevails: but the employers are changed, and, I fear, the people of England do not consider the change as having operated beneficially for their interests.

But, setting aside the delicate question of payment, both as regards the Member and his constituents, surely it cannot be, as Locke has well observed, upon a fair principle of representation, that the Members for boroughs possessing no population, or at most only a few burgage-houses, should have an equal right with the representatives of the largest counties in England, to vote away the money of the inhabitants of those countries, with whom

they have not the remotest connexion ; a right forming the most important privilege of the Constitution, and which was vested in it solely for the benefit and protection of the people. I am aware that it is difficult to obtain an exact equality of representation, both as to numbers and property ; but I consider it an object which ought to be attended to as much as possible. Property of some degree, no matter how low the value, must be the best basis on which to found the elective franchise. It is that, from which those resources are drawn, which support the State, and whose application its possessor has a right to regulate and controul through his representative. It affords the best pledge for his conduct, and renders him independent of that commanding and overbearing influence or temptation, which, if exerted against a poor and dependant man, would prevent the possibility of his bestowing a free and unbiassed suffrage.

I contend also, that owing to various circumstances, the lapse of time, the increase of population in some places, the decrease in others, and the enormous extension of the influence of the Crown, our system of representation has fallen into a degree of decay and imperfection, which imperiously calls for reformation and amendment. The nature and extent of that alteration, I own it to be difficult to determine. I am not presumptuous enough to imagine, that the course I recommend is the only one befitting us to adopt ; but I think it fair in intro-

ducing this question, for which I contend on the ground both of justice and expediency, to state at once and openly, how far I think a change beneficial, and likely to be effectual in removing those evils of which we complain.

The principle of a change in our representative system is not new, and has been acted upon at different times, as may be seen by a reference to various Acts of Parliament. The 27th of Hen. 8. c. 26, regulates the representation of Wales. The 35th of Hen. 8. c. 11, settles the wages of knights and burgesses in Wales, and declares who shall be the choosers of burgesses. The 34th of Hen. 8. c. 13, recites, that “ the County Palatine of Chester had hitherto been excluded from sending Members to Parliament, by reason whereof the inhabitants had sustained many *losses and damages* as well in their lands and goods and bodies, as in the *civil and politick maintenance and governance* of the commonwealth of the county; and as a *remedy to restore quietness, rest, and peace*—It is enacted, that the County shall send two knights of the shire, and the city of Chester two burgesses, to Parliament.” The next and last statute to which I shall refer, is one in which, I confess, I am peculiarly interested, as without its adoption, I should not have had the honour of now addressing this House. In the 25th of Charles 2. c. 9, I find it asserted, “ that the inhabitants of the County of Durham are *liable to all payments, rates, and subsidies*, granted by Parlia-

fide rated to church or poor, or assessed to or paying direct taxes for six months previous to the first day of election, not having received parochial relief; every such person, except persons now disqualified otherwise than as Catholics, to be entitled to vote.

The next provision I was anxious to make, was for the fitness and impartiality of the returning officer for those districts, on the correct and fair discharge of whose duty so much necessarily depends. I propose, that he should be an acting magistrate within the district, and be chosen annually by the overseers and churchwardens; no magistrate to be eligible two years running, or to be bound to act twice within three years. His being elected by those who derive their appointment chiefly from the electors of the district, will inspire greater confidence than if the office were held either permanently, or independently of the inhabitants. I propose also to authorize him to appoint a deputy to attend to the minor details of the duty, which can frequently be better performed by a professional person, whose residence on the spot is always fixed and certain; but that the principal should be bound always to attend at the election. For the purpose of still farther providing for the impartiality of the returning officer, I have inserted a clause, rendering him liable to imprisonment, if he acts corruptly, as is provided in Ireland by the Stat. 57 Geo. 3. c. 131. The magistrate, however, may decline acting as returning officer, on payment of a fine of 200*l.* to the

poor of the district. This provision I have thought necessary, as it is possible that a magistrate might be elected, who had intentions of offering himself as a candidate for the representation of the district.

The election I should propose to take place in the chief town in the district, to commence before twelve o'clock on the first day. If a poll is demanded, to be opened on the same day, or the next at farthest; and to be kept open on all days, except the day of demanding it, for eight hours at least; not to last longer than six days, including the first day of election; to be closed at three o'clock on the last day, and the return to be made immediately, unless a scrutiny be demanded. The returning officer will be obliged to provide a sufficient number of polling booths, separate, and with good access; the votes to be taken in them alphabetically; the letters, for which each booth is designed, to be affixed on the outside. In districts consisting of more than one parish, where the voters reside more than five miles from the chief place of election, votes may be tendered to the overseers of the parish where those voters reside. The poll there taken to last three days: to be kept open five hours each day; only three days are given, exclusive of the first day, in order that the parish-poll may be received the evening before the sixth and final day of the district poll, and thus enable the gross poll to be declared immediately on its close. The object of this arrangement is to prevent the great expense of the conveyance of voters, by enabling all those who cannot, or will not, pro-

ceed at their own expense to the chief town, to tender their votes at a moderate distance from their places of abode; whilst at the same time it leaves unaltered and untouched that spirit, energy, and interest, which always characterize the proceedings of an election held in a populous town, where the candidate appears personally before large bodies of his countrymen, to answer openly for his past conduct, and give such pledges for his future actions as may publicly be required of him.

I wish also to provide for ample public notices of the election being generally circulated throughout the district: at present, such notices are generally given either by proclamation, or by that much calumniated individual, the bellman, whose announcement of the Suffolk Reform Petition has been so much objected to in the early part of this evening, by the Honourable Member for that county.* I propose that the sheriff should issue his precept within three days of the receipt of the writ, to the returning officer of each district within his jurisdiction; the returning officer to give public notice within thirty-six hours of the time and place of election, and to proceed to the election on the Monday next, after two days from the time of giving that notice. Now, by the Stat. 7 & 8 Will. 3, the sheriff is to deliver the precept within three days, and the election must be held within eight days; four days' notice at least being given. This new arrangement

* Mr. Gooch.

would make little difference in the time of holding the election, after the returning officer received the precept, but would secure the election not breaking into two weeks. Every returning officer on the receipt of the precept, to affix notices on the doors of the churches, and on the market-places, of the time and place of election. The overseers to be obliged to make and send alphabetical lists of all persons rated, to the returning officer, within a fortnight after the publication of the rate, as also the collectors of the taxes, after the receipt of their warrants of collection. By this means, the returning officer will be always sure to have the proper rate ready in case of vacancies; as, if it was to be delivered only yearly, it might never be a correct guide. The confusion which arises in taking a poll, would be thereby much diminished, and the opportunities for taking objections lessened.

I propose that all persons now entitled to vote for any borough, or town, or place, now represented in Parliament, should be empowered to vote for life, (or as long as the right, in respect of which they claim, remains,) at all elections in that district within which the place is situated.

All the expenses of these district elections, that are authorized by the bill, namely, those relating to polling-places, clerks, messengers, and other necessary charges, will be paid out of the poor-rates of the several parishes in each district, by warrant from the returning officer and one other magistrate.

This power of issuing a warrant is sanctioned by other instances, somewhat similar. The stat. 27 Eliz. c. 13. §. 5, making the hundred liable for a moiety of the damages received, enacts, that two justices shall rate the different parishes to an equal contribution. The stat. 1 Geo. 1. c. 5. §. 6, adopts the same course for recovery of the sums, referring to the 27 Eliz. These statutes are amended by the 8 Geo. 2. c. 26, and the 22 Geo. 2. c. 46 : all of which authorize the assessment to be made by two justices ; and, lastly, the 57 Geo. 3. c. 19, adopts the same course, taking as a precedent the 1 Geo. 1. c. 5.

And now, as to county elections—I do not propose to alter the mode in which they now exist, further than by adding, as electors, copyholders and leaseholders, and making the same regulations as to the prevention of expense in the conveyance of voters from distant parts, as I have detailed before in that part of the bill which relates to districts. I conceive copyhold property, whatever it might have been in feudal times, to be now as good as freehold, because the possessor of it cannot be deprived of it, as formerly, at the will of the lord. I propose also, to grant the elective franchise to leaseholders for terms of years renewable at the will of the lessee, and for terms of which twenty-one years are unexpired. (I should here observe, that even now a lease for life is a freehold, and gives a right to vote.) This will enable proprietors under college or other ecclesiastical leases, or under long leases for small and

nominal rents, such as building leases, to vote at county elections ; in which privilege I would also join freeholders of 40s. in towns which are counties within themselves, in order to avoid the anomaly which now exists, of there being freeholders in some places who have no right to vote, either for the county or town in which their property is situated.

The polling for counties I propose to be on the same principle as in district elections, for the reasons I have before stated ; the votes to be tendered in hundreds or wards to the high constable ; but the election to take place in the county town, as now ; the duration of the county poll to be ten days, that of the hundred poll five days ; the high constable, his deputies and messengers, to receive a certain remuneration. There is no provision of this kind intended for the overseers in districts, because they are numerous, and will not have to go out of their parish. But the office of high constable is generally executed by an individual, who will have some distance to go from home. The sheriff to have the power of appointing as many booths as may be deemed necessary to facilitate the taking the poll. Under the present law, 18 Geo. 2. c. 18. §. 7, he can only appoint as many booths as there are hundreds, from which much inconvenience frequently results. There is no one who has witnessed a contested county election, but must be aware, that it often happens that one booth, for the most populous hundred, is crowded from the first to the last day of the election, to the

great hindrance and inconvenience of the voters, whilst others are constantly empty, and the clerks unoccupied.

I propose that the same oaths should be taken by the electors, under this bill, as at present, with the exception of the Catholic oaths and declarations (provided by the 30 Chas. 2., and 1 Geo. 1.) Those acts, which are now mere instruments of illiberal and impolitic intolerance, of course I shall not embody in a measure of enfranchisement. In addition, however, to the present oaths, are added some to be taken by copyholders, leaseholders, and householders; as also an oath to be taken by every candidate before his return, and on his taking his seat, that he has not, and will not give or offer any bribe of any description to any voter, or any person in trust for him. This oath to be administered by the Returning Officer, under a penalty of £500. for omission; and all laws now in force against bribery are to be applied to those convicted, on the evidence of two witnesses, of having offered any inducement to an elector to give his vote.

Finally, all ambassadors, and persons accepting offices under his Majesty, the duties of which are to be executed abroad, will be deemed ineligible; and, if previously elected, their seats will be vacated on such acceptance; as, under those circumstances, it would be morally impossible for them properly to discharge their duties to their constituents. I have not made any provision disabling other placemen or pensioners from sitting in Parliament; because, how-

ever much such a measure may be desirable and necessary in an unreformed, I do not think it required in a reformed House of Commons. An individual accepting a place or pension, will be immediately amenable to the judgment of his constituents; who, if they disapprove of his conduct, will have the opportunity of expressing that opinion in the most efficacious mode, by ceasing to return him as their representative. On the other hand, if, after mature deliberation, they do not consider his acceptance of such situations or appointments incompatible with the due performance of his duties to them, it would be hard to deprive them of the benefit of those services which they desire and are willing to accept, with the full knowledge of the circumstances under which he again presents himself to their notice. I know that this principle is supposed to be acted upon, even now—but the effect produced is materially and essentially different. Under the present system, the placeman or pensioner who vacates, appeals, in nine cases out of ten, to the judgment of nominal or mock constituents. Under the operation of this bill, the elective body will be so numerous, and so independent, that their decision will always be formed on a consideration of what is most conducive to the general interests of the country; without any reference to those selfish and corrupt views, which now unhappily influence the proceedings of those select bodies, in whose hands the borough representation is vested.

I have not extended the provisions of this act

Schedule (B).

A SCHEDULE containing the Form of Notices to be given of the Time and Place of holding Elections, to be affixed on Churches, &c.

No. 1.

A General Notice of the Time and Place of Election in Districts where no Votes are to be tendered to Overseers.

Election of a Member to serve in Parliament for the District of

NOTICE is hereby given, That an Election of a Member to serve in Parliament for this District, will be held on Monday next, the day of at the
(*naming the place of election*) at the hour of Nine o'clock in the Morning. Dated this day of

A. B. Returning Officer.

No. 2.

Form of Notice to be added to the above in Districts where Votes are to be tendered to Overseers of Parishes.

And NOTICE is hereby further given, That any Persons residing within the several Parishes (*or Hamlets, &c. naming the Parishes, &c. of which any part is more than five miles from the principal place of election*) of who reside more than five miles from the said town of and who may be desirous of polling, without coming to the said town of may tender their votes to the Overseers of their said respective Parishes, Hamlets, &c. at the places hereunder written, and for that purpose appointed respectively, where such Votes will be respectively received. And the Overseers of the said Parishes Hamlets, &c. are hereby respectively required to meet at such places accordingly, on Tuesday the day of at Nine o'clock in the Morning, to open a Poll to receive any such Votes. Dated this day of

A. B. Returning Officer.

PLACES for tendering Votes in the above Parishes, Hamlets, &c. respectively.

Parish of A. - - Vestry Room of said Parish,
Hamlet of B. - - School House at in said Hamlet,
Hamlet of C. - - Hustings to be erected at in said Hamlet

As the Returning Officer shall direct.

all pledged to the principle of the bill : I consider such a vote as merely sanctioning the assertion that the state of the representative system is such as to require consideration in this House, with a view to its amendment.

I well know, that in advocating the propriety of an extended change, I shall be opposed by the misrepresentations of some, the sophistries of others, and the fears of many—fears which it has been the object of a certain class of politicians to excite upon all occasions, and through them to carry on the government of this country—a system which has never been considered as auspicious to the existence of liberty in any country, or at any period. It was first commenced at the French Revolution by Mr. Pitt, to cover his abandonment of his early principles, and his adoption of that very system under which he had declared no minister *could* act honestly. This mode has been carried on to the present day, and our minds, it seems, are still to be alarmed by visions of anarchy and confusion, to be realized whenever the people are put in possession of those elective privileges which their ancestors once peaceably enjoyed. I should have thought that a participation in acknowledged rights and benefits, was not the surest incentive to treason and disaffection—but rather a security for submission and tranquillity. It was on the latter principle, I imagine, that our ancestors acted, when they granted the solicitations of the inhabitants of

Wales, Chester, and Durham, and recorded in the most solemn manner on the statute book, their conviction that affording large classes of the community an interest in the constitution, was the best, and wisest, and safest mode of providing for its well-being and peramnnency.

The system pursued by the gentlemen opposite is widely different. They obstinately exclude the petitioners of the present day ; heap on them every term of reproach which the ingenuity of wit, or the bitterness of sarcasm, as administered by the Right Hon. Member for Liverpool,* can supply, and then express astonishment and alarm at the feelings which they hear repeated and re-echoed on all sides. To repress these, innumerable acts of restraint and coercion have been proposed by them, and of course adopted by parliament. The right of publicly meeting to discuss public affairs has been fatally abridged, and the result of this is an awful—sullen silence ; still they are not satisfied : nor can it be a matter of surprise---the debate of last night† sufficiently shews that they do not forget the insecurity of power founded on force, and force alone. Hence is to be traced the course of all their proceedings, tending manifestly to one object---the repression of that voice of public complaint ; which, I will tell them, may yield to conciliation, but never will to severity.

* Mr. Canning.

† On Yeomanry Corps, in the Army Estimates.

Yet, in the midst of all their alterations of the laws in order to smother these complaints, they at the same time talk loudly of the dangers of innovation ! Who, I should be glad to ask, are the greatest innovators ? They who seek to restore the purity of the Constitution ? or they who suspend the Habeas Corpus Act—pass Indemnity Bills—suspend the right of publicly meeting—who attack the liberty of the press by taxation and banishment ?—These, and many other atrocities have been perpetrated by the Ministers opposite, and yet they have the effrontery to charge others with that very crime, of which they, above all men, are most guilty. On my part, I deny the charge of innovation : I ask no privileges, which have not already been enjoyed by our ancestors, and to which I do not consider their posterity as entitled on every ground both of justice and expediency.

Before I conclude, I must notice two arguments which have greatly been insisted upon as fatal to reform. The one is, that the present system, however faulty in theory, works well in practice ; the other, that were it not for rotten boroughs, men of talent, without property, would be excluded from seats in this House. That this system works well in practice for the honourable gentlemen opposite, their friends, their relations, and their families, I cannot deny : the fact is unquestionably proved by a reference to the Place Lists and Pension Lists ; but that it works ill for the country, is as surely demonstrated by a

view of its present state and condition. If any man will prove to me that the country is rich, flourishing, and contented—happy at home, and respected abroad—I will then own to him that the system works as well for the people, as it evidently does for the gentlemen opposite. As for the other assertion,—I deny that the effect of a reform would be to exclude men of talent, without property, from the House of Commons. History has always proved, that characters of such a description have much sooner found their level under a free and constitutionally representative government, than under a corrupt or a despotic one. But even if that were the case, I hold it to be no argument against reform. For, was this House originally intended as a theatre for the display of talents and abilities? Or was it provided as an institution, forming a check on the power of the crown? in which honesty and independence would be infinitely more valuable, especially in the exercise of its most important function, the management of the public revenue, than all the rhetorical exhibitions which could be held up to popular admiration. If this latter be the correct view of the question, then I submit that I am entitled to make the talents of the members secondary to the purity of the House. To take the case into private life, I must confess, that in my own establishment, I would much rather be served by a man of plain, downright, even stupid honesty, than by the

most eminently gifted rascal that ever wore a livery.

I fear that I have detained the House too long ; but the question is so extensive and complicated, that even now I feel conscious that I must have omitted many arguments and statements which bear strongly on the case. All I beg is, that its merits may not be affected by my demerits ; and that the House will consider its real and serious claims on their attention, without any reference to its advocate. This is not a time at which PUBLIC OPINION can be trifled with ; it is making rapid and mighty progress throughout the world. Wherever it is resisted, as in Italy, the results are deplorable, and all tend to some great convulsion. Where its power and justice are acknowledged, as in Spain, the prospect is most cheering. We see disaffection instatanneously quelled—venerable and rotten abuses reformed—superstition eradicated—and the monarch and the people united under a constitution, which alike secures the privileges of the one, and the liberties of the other. May I not then consistently hail the rising of this star, in what was once the most gloomy portion of the European horizon, as a light to shew us the way through all our dangers and difficulties—as a splendid memorial of the all-conquering power of PUBLIC OPINION ? If there be any, who deny the existence of that feeling in this country, steadily directed towards a reformation of all public abuses, I am not one of those. If there be any, who shrink from advocating this great and vital question in this House, and thus attempting

to stem the torrent of corruption, on account of the obloquy or calumny by which they may be assailed, again I say, I am not one of those---

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 Abound as thick as thought could make them, and
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 As doth a rock against the chiding flood,
 Should the approach of this wild river break,
 And stand unshaken.

Sir, I move you, that this House do resolve itself into a Committee of the whole House, to consider the state of the representation of the people in parliament.

B I L L

*For effecting a Reform in the Representation of the
People in Parliament.*

WHEREAS many Boroughs and Towns in England and Wales which now send Burgesses to parliament have fallen greatly into decay, and contain but few Voters to return such Members to Parliament: **AND WHEREAS** many other towns and places of great wealth population and consequence do not return burgesses to serve in parliament: **AND WHEREAS** many persons inhabitants and householders in various parts of England and Wales have no right to vote at and have no voice in the election of any members to serve in parliament, and yet are liable to all payments rates and taxes granted by parliament equally with persons voting in the election of Members to serve in parliament, and are therefore equally interested and concerned with them to be truly and faithfully represented in parliament; by means whereof the representation of the people of England and Wales in the Commons House of parliament has become and is greatly defective: **AND WHEREAS** it is just and equitable that that which affects all should be imposed only by the common assent of all, and that none should be taxed but by their representatives duly and fairly chosen by themselves; For remedy whereof therefore, and for the promoting and maintaining the prosperity of the crown, and the satisfaction and contentment of the people,

Preamble.

BE it Enacted by the King's Most Excellent Majesty, by and

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BE it Enacted by the King's Most Excellent Majesty, by and

Preamble.

Boroughs returning Members at present not to return after the present Parliament, except the two Universities.

with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the termination of this present Parliament, the several cities towns boroughs cinque ports and other places within England and Wales, which have heretofore been accustomed to return citizens burgesses and barons to serve in Parliament, save only the two Universities of Oxford and Cambridge, shall from thenceforth cease to return such citizens burgesses and barons as aforesaid to serve in parliament as heretofore.

AND for the providing more fully and equally for the due representation of the people of England and Wales in the Commons House of Parliament, Be it further Enacted, That the several counties cities boroughs towns and other places throughout England and Wales, shall, for the returning of members to parliament and for the purposes of this Act, be divided into the several districts of boroughs contained in the Schedule to this Act annexed marked (A); and that from and after the termination of this present parliament each of the said several districts shall in all future parliaments to be holden in and for the United Kingdom of Great Britain and Ireland return such one or more member or members to represent such districts respectively in parliament as are set and placed against such districts respectively in the said Schedule hereunto annexed marked (A) to be elected and returned in manner hereinafter provided.

When the Town at which the Election is directed to be held is in the jurisdiction of any Sheriff, all places in that District to be held to be within his jurisdiction for the purposes of this Act.

AND whereas certain parts of some such districts are situated in separate and distinct shires counties or jurisdictions; Be it therefore further Enacted, That for the purposes of this Act every parish village hamlet or other place whatsoever forming part of any

such district shall be taken and held for all the purposes of this Act to be in the same shire county and jurisdiction wherein the place whereat the election for such district is hereby directed to be held as hereinafter provided shall be situated, and shall from and after the issuing of the writ for holding any such election as hereinafter provided be taken to be subject in all respects for the purposes of such election and for the preservation of the peace during the continuance of the same, to the authority control and jurisdiction of the sheriff or sheriffs and all magistrates of that shire or county wherein such place appointed for holding such election as hereinafter provided shall be situate, and to the jurisdiction of the returning officer of such district, in like manner as if such parish township village hamlet and other place forming part of such district had been actually situate in the same shire county and jurisdiction and subject to the same controul and jurisdiction as such place appointed for holding such election.

And be it further Enacted, That when any new parliament shall at any time hereafter be summoned or called, that in lieu of the writs heretofore issued by the Lord High Chancellor

Writs to be issued by
Lord Chancellor on new
Parliaments.

of Great Britain for the election and return of citizens burgesses and barons for cities boroughs towns cinque ports and other places other than the several shires of England and Wales and the said two Universities of Oxford and Cambridge, the said Lord High Chancellor shall issue writs made and sealed under the great seal of Great Britain in like manner as writs have heretofore been accustomed to be issued for the election and return of such citiznes burgesses and barons as aforesaid, which said writs shall be directed to the sheriff or sheriffs of each and every county of Great Britain and Wales; whereby the said sheriffs respectively shall be commanded to cause to be elected freely and indifferently such member or members for each and every district within the county bailiwick or jurisdiction of such sheriff or sheriffs respectively as are in this Act directed and

required to be elected and returned, and such sheriffs respectively shall be thereby required to return the same in like manner as such sheriffs or other persons, to whom such writs for the election of citizens burgesses and barons as aforesaid have heretofore been directed, have been required to return such citizens burgesses and barons, and such writs shall be forwarded conveyed delivered and transmitted to and received and dealt with by such sheriffs respectively in like manner as writs for the election of members to serve in parliament are now required to be forwarded conveyed delivered and transmitted received and dealt with under and by virtue of the several Acts made and now in force concerning the delivery and conveyance of writs for the election of members to serve in parliament.

AND be it further Enacted, That during the sitting of any parliament which shall be held after the termination of this present parliament, when any vacancy shall occur in the representation of any such district or districts throughout England and Wales as aforesaid by the death or other removal of any member or members having represented such district or otherwise, such writ or writs as aforesaid shall be issued for supplying the vacancy or vacancies thereby occasioned, directed to the sheriff or sheriffs of the county or counties respectively wherein such district or districts shall be situated respectively, in like manner as writs for the choosing and returning citizens burgesses and barons are now issued during the sitting of the high court of parliament, according to the ancient jurisdiction and authority of the commons house of parliament, in that behalf accustomed and used, and the several Acts made and now in force respecting the issuing of the same.

AND be it further Enacted, That for the providing of fit and competent persons to be returning officers in the said several districts respectively, the churchwardens chapelwardens and overseers of the poor of each and every parish township chapelry hamlet or

Who shall be Returning Officers.

Magistrates to be elected by Overseers and Churchwardens as Returning Officers.

other division in each and every of the said several districts shall on the fourth Monday next after Easter day, or in default thereof so soon after as they shall be required by public notice in writing signed by any two inhabitant householders of such district, or by any one magistrate having jurisdiction in such district, and published in some newspaper usually circulating in such district, in each and every year after the passing of this Act, meet in the vestry room or other most usual place of holding vestries within the principal town village parish township chapelry hamlet or other division of such district whereat the election for such district is hereby directed to be holden as hereinafter provided, and after electing a chairman of such meeting, who shall have the casting vote in such meeting, on all questions put to the vote at such meeting where there shall be an equality of votes on such questions, but who shall not otherwise vote thereon, shall proceed to elect by a majority of voices of those present at such meeting some one acting magistrate within such district or within some borough town or other separate jurisdiction within such district, if any such there shall be, and if not then some acting magistrate within the borough town hundred riding county or other division wherein such district shall be situate, such magistrate not being a peer of the realm or clerk in holy orders, to become and act as returning officer for such district for which he shall be chosen as aforesaid, for the year commencing from the first day of June next after such day of election, and until some other person shall be duly chosen in his stead as such returning officer, and such magistrate shall be and become, when so chosen and elected as aforesaid, the returning officer of such district for the year commencing from such first day of June next after such day of election and until some other person shall be duly chosen in his stead as such returning officer and shall after notice of such election by the chairman of such meeting, which notice such chairman is hereby required to give in writing to such magistrate and also to the sheriff or sheriffs of the county wherein such district shall be situate within twenty days next after such election, be bound to perform and execute

all the duties of such returning officer, and to preside at all elections of a member or members to serve in parliament within the district for which he shall be chosen such returning officer, as aforesaid, during the time that he shall be and continue such returning officer, and shall execute all such duties in like manner and shall take the like oaths and be subject to the like pains penalties rules laws regulations directions immunities and disqualifications as the returning officers of any borough town cinque port or other place now sending members to parliament, excepting as is herein otherwise particularly provided and enacted: Provided always, that no such magistrate shall be eligible to be or shall be elected as such returning officer for two successive years, or shall be bound to accept the office or to perform the duties of such returning officer for the same district within three years from the time of such magistrate's having been the returning officer of such district.

AND be it further Enacted, That it shall and may be lawful for any such magistrate who shall be chosen and elected the returning officer of any such district to nominate and appoint some fit and proper person or persons as his deputy or deputies, and to name and appoint some place or office within such district, giving notice thereof to the sheriff or sheriffs of the county wherein such district shall be situate, where the duties of such returning officer shall and may be performed; and any person or persons accepting such nomination and appointment shall be bound to perform and execute all the duties of such returning officer (excepting the duty of presiding at elections in such district, which every returning officer shall be bound to perform in person excepting in the case of serious illness or some urgent and sudden necessity, in which case such deputy or deputies may act in his behalf) in like manner as any returning officer would be likewise bound to perform the same; and all notices precepts and other proceedings served at such place shall be held to be good to all intents and purposes

Returning Officer giving Notice to Sheriffs may appoint a Deputy, and Office where Duties of returning Officer shall be executed.

and binding on such returning officer as if the same had been served at the dwelling house of such returning officer, any thing herein contained to the contrary notwithstanding; and any returning officer or deputy returning officer and each of them who shall refuse or neglect to perform his duty as such returning officer or deputy returning officer, when duly required so to do, shall forfeit £ with treble costs, for each and every such instance of refusal or neglect, to any person suing for the same in any of the courts of Westminster.

AND for the purpose of guarding against corrupt and partial conduct of returning officers at elections of members to serve in parliament for such districts, Be it further Enacted, That every returning officer or deputy returning officer who shall be by due course of law convicted of having acted corruptly or partially in the execution of his duty of returning officer or deputy returning officer of any such district, at any election of member to serve in parliament for such district, shall be adjudged guilty of a high misdemeanour, and be imprisoned for such time, not exceeding three years nor less than one year, as to the court, before whom such returning officer shall be tried, shall seem fit and meet: and such person so convicted shall from thenceforth be incapable of acting as a magistrate or of holding any office under the Crown.

Returning Officer acting corruptly to be imprisoned and rendered incapable of acting as a Magistrate or holding any Office under the Crown.

AND whereas it may happen that in some instances magistrates may be chosen returning officers for districts for which such magistrates have an idea of offering themselves as candidates for the representation thereof: And whereas such magistrates would be disqualified by the existing laws as such returning officers from representing the district for which they were respectively such returning officers, and might therefore be prevented from offering themselves as such candidates; Be it therefore further Enacted, That if any magistrate shall be chosen or elected re-

Magistrates may decline, and pay £200 Fine to the Poor.

turning officer of any district for which he may intend to offer himself as a candidate to represent such district in parliament, it shall and may be lawful for any such magistrate, on giving notice to the sheriff or sheriffs of the county wherein such district shall be situate, and paying a fine of £200 to such sheriff or sheriffs for the use of the poor of the several parishes hamlets villages chapelries townships or other divisions within the district whereof he shall be so chosen or elected such returning officer, and to be paid by such sheriff or sheriffs to the respective overseers of the poor thereof, to decline to act as such returning officer on such election; and every such sheriff or sheriffs on the receipt of such notice, and also when and as often as any vacancy shall occur in the office of returning officer in any district within the bailiwick or jurisdiction of such sheriff or sheriffs by reason of the death of such returning officer, or by any such returning officer becoming a peer of the realm, or a clerk in orders or otherwise, shall forthwith cause good and sufficient notices thereof to be given to the respective churchwardens chapelwardens and overseers of the poor of the several parishes hamlets villages chapelries townships and other divisions within such district, commanding them to meet at some time to be mentioned in such notices, and at the usual place of such meeting, to be also mentioned in such notices, for the purpose of electing some other such magistrate as and for the returning officer of such district, and such churchwardens chapelwardens and overseers of the poor shall accordingly meet in pursuance of such notices and shall proceed to the election of some other such magistrates as and for such returning officer in like manner as is hereby prescribed and directed for the annual election of such returning officers; and any such magistrate so elected at such meeting shall serve as such returning officer for the current year of such election, and until some other person shall be duly chosen as herinbefore provided as such returning officer.

AND be it further Enacted, That from and after the termination

of this present parliament the sheriff or sheriffs of each and every county throughout England and Wales shall forthwith, on the receipt of any such writ or writs

Sheriff to issue Precept to elect on Monday next after two clear Days Notice.

as aforesaid for the election and return of any member or members for any district or districts within his or their bailiwick or jurisdiction, make out, and within three days from the time of the receipt of the said writ deliver, his or their precept or precepts under his or their seal or seals to the returning officer of each and every district within the bailiwick of such sheriff or sheriffs for which such member or members shall be directed to be elected or returned, reciting the said writ and commanding such returning officer to proceed to such election and to make his election of the member or members who shall be chosen for such district, to such sheriffs or sheriffs according to due course of law; and every such returning officer upon the back of the same precept shall endorse the day of his receipt thereof in the presence of the party of whom he received such precept, and shall within thirty six hours then next following cause public notice to be given of the time and place of election, and shall proceed to election thereupon, on the Monday next after two clear days whereof Sunday may be one, from the time of giving such notice.

And be it further Enacted, that besides the public notice to be given as aforesaid, it shall be the duty of every returning officer of every district, and they are hereby required re-

Public Notices to be affixed on all Churches and Market Places.

spectively as soon after the receipt of such precept respectively is received as conveniently may be, and not later in any case than by twelve o'clock at noon on the Saturday next preceding the day of election, to cause public notices in writing to be affixed in some conspicuous part on the principal door of every church or chapel, and also on the market place, or if none then on some other most conspicuous place within every parish township chapelry hamlet or other place within the district whereof they

shall be such returning officers respectively, stating the time and place of holding such election, and the places if more than at the place of holding such election as hereinafter provided, where any votes within such district may be tendered and recorded, and shall for that purpose use the several forms contained in the schedule hereunto annexed marked (B) as the same may be applicable to such purpose.

And be it further Enacted, that from and after the termination of this present parliament the right of election of a member or members to serve in parliament for such several districts in England and Wales as aforesaid respectively, shall be and is hereby declared to be in the inhabitant householders within such districts respectively who shall have been *bona fide rated* to the church or poor within such districts respectively, or shall have been assessed towards and shall have paid any direct public taxes within such districts respectively for six calendar month previous to the first day of election, not having for such time received alms or charity in the way of parochial relief, and in none others, except as is hereinafter particularly provided; and that from thenceforth it shall and may be lawful to and for every such inhabitant householder within any such district as aforesaid, who shall at any election for a member or members to serve in parliament for such district be of the age of twenty-one years, to vote for such member or members at such election: Provided nevertheless, that no person or persons shall be entitled to vote at such election who would be disqualified from voting at elections of members to serve in parliament according to the laws now in force respecting the disqualification of any person or persons to vote in the election of any members to serve at this present time in parliament, except persons professing the roman catholic religion, who are hereby declared to be entitled to vote at such election; and the returning officer for the time being of every such district as aforesaid to whom the return of every writ or precept for the election of any member or mem-

bers to serve in parliament for any such district shall belong, shall return to the sheriff or sheriffs of the county wherein such district shall be situate the person or persons to serve in parliament for such district who shall have the major number of such votes within such district, not being disqualified from voting as aforesaid.

AND be it further Enacted, That every person or persons before he or they is or are admitted to poll
 at any such election as aforesaid, shall, Oaths to be taken.
 if duly required so to do, take and subscribe all the several oaths and make all the several affirmations and declarations directed by the laws now in force to be taken and subscribed and made by persons voting in the election of burgesses to serve in parliament at this present time, as far as may be applicable to such person or persons respectively, excepting only the oath generally called the oath of supremacy. and the declaration generally called the declaration of test, and such oaths and declarations as relate to the roman catholic religion; and every inhabitant householder before he is admitted to poll at any such election shall, in addition thereto, if required by any candidate at such election, or any person having a right to vote at such election first take the oath, or being a quaker, the solemn affirmation following; that is to say,

“ I, *A. B. (signifying his trade or profession)* do swear (or
 “ solemnly affirm) that I am an inhabitant householder
 “ of this district, and that the place of my abode is at
 “ in the parish (or, hamlet, &c. as
 “ the case may be) of (stating his place of
 “ residence) in this district, and that I have for the space
 “ of six months immediately previous to this election, to
 “ the best of my knowledge and belief, been rated to the
 “ relief of the poor of the said parish (or, hamlet, &c.) of
 “ or have been assessed towards and have paid
 “ direct public taxes within the said parish (or, ham-
 “ let, &c.) and that I am twenty-one years of age to

“ the best of my knowledge and belief, and have not before
 “ been polled at this election for this district.”

Which oath or solemn affirmation the returning officer of such election, or his deputy or any poll clerk, or person taking the poll, shall be and are hereby authorized and empowered and required to administer.

Provided always, and be it further Enacted, that any person
 or persons who may now have, or who
 shall before the termination of this present parliament acquire, a perfect right
 to vote in the election of any citizen bur-
 gess or baron to serve in parliament for any city borough town
 cinque port or other place now sending members to parliament,
 shall after the termination of this present parliament be entitled
 to vote in respect of such right of voting now had or before the
 termination of this present parliament acquired and so long as
 such right shall continue vested in such person or persons, in
 the election of a member or members to serve in parliament for
 the district, or districts if more than one, wherein such city bo-
 rough town cinque port or other place shall be situate, although
 such person or persons shall not be inhabitant householders
 qualified to vote at such election or elections; any thing herein
 contained to the contrary notwithstanding:
 Oaths to be taken. And such person or persons, be-
 fore he or they is or are admitted to poll at any such election,
 shall if required by any candidate or any person having a right
 to vote at such election, first take the oath, or being a quaker,
 make the solemn affirmation following; that is to say,

“ I, A. B., (mentioning his trade or profession) do swear (or
 “ solemnly affirm) that I reside at (mentioning his place of
 “ residence) that I had on the day of
 “ (mentioning the day on which this present parliament shall
 “ terminate) a perfect right to vote in the election of bur-
 “ gesses (or, citizens, &c.) to serve in parliament for the
 “ borough (or town, &c. as the case may be) of

" (*stating the borough or town*) as a (*stating the right of voting*) and that such right still remains vested in me to the best of my knowledge and belief; and that I have not before been polled at this election for this district."

~ AND be it further Enacted, That the election for each and every of the said districts shall be had and held Place of Election and
Duration of Poll.
at such place and places within the said districts respectively as are put and placed opposite to the said several districts respectively in the said schedule hereto annexed marked (A) and named in the said schedule as the place of holding such elections respectively, and in no other place or places except in the case of any extraordinary and urgent necessity; and such elections shall respectively commence before the hour of twelve o'clock at noon on the first day of such elections respectively, and shall be proceeded in and conducted in all respects as elections for any burgess or burgesses for any borough or other place are now by law directed to be proceeded in and conducted, except as herein is particularly otherwise provided and enacted: Provided nevertheless, that when any poll shall be demanded at any such election, such poll shall commence on the day on which it shall be demanded, or on the next day at the farthest, and shall be duly and regularly proceeded in from day to day, and shall be kept open for eight hours at the least in each day, except the day of demanding the same, between the hours of seven in the morning and eight in the evening, till the same be finished, but so that no election shall continue more than six days at most, including the first day, and so that every poll shall be finally closed at or before the hour of three in the afternoon of the Saturday next after the first commencement of the said elections; and the returning officer at every such election shall immediately or as soon as conveniently may be, and within one hour after the final close of the poll if kept open till the sixth day, truly fairly and publicly declare the name or names of the person or persons who have the majority of votes on such poll, and shall forthwith make a

return of such person or persons, unless such returning officer, upon scrutiny being demanded by any candidate or any two or more electors, shall deem it necessary to grant the same, in which case the same shall be proceeded in according to the laws now in force relating to the election of members to serve in parliament at the present time.

AND be it further Enacted, That at every such election the returning officer shall appoint make hire or erect, or cause to be appointed made hired or erected, such numbers of convenient booths or polling places separate and distinct from each other, not being fewer in districts where one member shall be directed to be returned than four, and in districts where two members shall be directed to be returned not being fewer than eight, as shall seem to him necessary and convenient, with good and free separate access thereto respectively, for taking the poll without tumult or confusion, which said booths or polling places shall be used respectively for taking the poll according to the alphabetical order of the names of the voters; and such returning officer shall affix or cause to be affixed on the most public part on the outside of each of the said booths or polling places the letter or letters for which such booth or polling place shall be allotted or designed, and sufficient notification of the intent thereof, and all voters shall tender and give their votes only at such booth or polling place as shall be allotted or designed for the letter wherewith the surname of such voter respectively shall commence, excepting in the case hereinafter provided for; and such returning officer shall appoint or cause to be appointed a proper clerk or clerks at each of the said booths or polling places to take the poll (which said clerk or clerks shall be paid such reasonable sum not exceeding one guinea per day each clerk) as shall appear fit and proper to such returning officer; and the said returning officer shall also give notice in writing before the commencement of the poll, to each and every of the candidates or their agents at such election, of the situation of all booths or

polling places so appointed made hired or erected, and immediately on the increase of any such booths and polling places, of such additional booths and polling places, and of the letters to which each of such booths or polling places is allotted or designed.

AND be it further Enacted, That the churchwardens chapelwardens and overseers of the poor respectively of every parish hamlet chapelry township or other division having Overseers to make and send Lists of Persons rated. separate church or chapelwardens or separate overseers of the poor within any such district, shall respectively, and they are hereby required within one fortnight next after the publication of any and all poor or church or chapel rate or rates for such parish hamlet chapelry or township, to make out and deliver at the dwelling house of the returning officer or at the office appointed for executing the duties of returning officer of such district, an alphabetical list or lists containing in alphabetical arrangement the surname of every person rated in such rate or rates to the church or poor respectively within such parish hamlet chapelry township or other division, together with the Christian name if known and the place of abode of every such person within such parish hamlet chapelry or township; and every collector of assessed taxes collecting any such taxes within any part of such district shall within one fortnight next after the receipt of any warrant to collect such taxes, make out and deliver at the dwelling house of such returning officer or at such office as aforesaid, an alphabetical list or lists containing in alphabetical arrangement the surname of every person from whom such collector shall be directed, in and by such warrant, to collect or levy any such taxes within any part of such district, together with the Christian name if known and the place of abode of every such person within such district; and every returning officer of such district shall upon any election to be held for such district deliver or cause to be delivered copies, to each and every poll clerk appointed by such returning officer of such district, of such

part of such alphabetical lists respectively as shall contain the names of persons whose names commence with any letters for which the booth or polling place for which such poll clerk to whom the same shall be delivered shall be appointed shall be allotted or designed; and in case of any dispute as to any vote at any such election, the poll clerk to whom any vote shall be tendered at such election, shall if required by any candidate or agent or by any elector, refer to such list, and if the name of the person tendering such vote shall not appear in such copy or copies of such lists or any of them, then such vote so tendered shall not be received by such poll clerk without a written or other authority, as hereinafter provided, from the returning officer at such election, after investigating such vote, to receive the same: Provided always, that nothing herein contained shall be construed to give power to any poll clerk or poll clerks to decide on any objection taken to any vote, other than the name of the voter tendering such vote not being contained in any such list or lists.

AND for the purpose of lessening the expenses of elections,

In Districts consisting of more than one Parish where Voters reside more than Five Miles from place of election, Votes may be tendered to Overseers of the Parish where Voters are resident.

and for the greater convenience of voters,

Be it further Enacted, That in any district consisting of more than one parish hamlet chapelry township or other division for which there shall be separate overseers of the poor, and wherein any part of

such district shall be more than five miles distant by the direct and nearest horse or carriage road from the place at which the election shall be directed to be held, it shall be lawful for any person or persons having a right to vote at any election of a member or members to serve in parliament for such district and residing above five miles from the place of such election, to tender his and their vote and votes for such district, if he or they shall be willing so to do, to the overseers of the poor of such parish hamlet chapelry township or other division within such district wherein he or they shall be a householder or house-

holders, or to some one or more of such overseers or to their sufficient deputy appointed for that purpose, as hereinafter provided, at such time and place as shall be appointed for receiving such votes as hereinafter provided; and all votes so tendered shall be received and recorded by the overseer or overseers or their sufficient deputy to whom the same shall be tendered in manner hereinafter provided, and shall be as good and valid for the candidate or person for whom the same shall be tendered, to all intents and purposes, as if such votes had been tendered and received at the poll taken at the principal place of holding such election: Provided nevertheless, that nothing herein contained shall be construed to prevent any person or persons having a right to vote at such election from voting at the principal place of holding such election, if he or they shall think proper so to do in preference to voting at such parish hamlet chapelry township or other division poll.

AND be it further Enacted, That when the returning officer of any district consisting of more than one parish hamlet chapelry township or other division for which there shall be separate overseers of the poor, and wherein any part of such district shall be more than five miles distant by the direct and nearest horse and carriage road from the place at which the election shall be directed to be held, shall receive any such precept as aforesaid requiring such returning officer to proceed to the election of a member or members to serve in parliament for such district, such returning officer shall within forty-eight hours next following the receipt of such precept give notice in writing of such precept to the overseers of the poor, or any two of them, of each and every parish hamlet chapelry township or other division within such district having such separate overseers, whereof any part shall be more than such five miles distant from the place at which such election shall be directed to be held, and shall require the overseers of each and every such parish hamlet chapelry township or other division respectively to

Returning Officers to give Notice to the Overseers to attend to take Votes in some Place appointed by the Returning Officer.

meet on the Tuesday next after the first day of election appointed for such district by nine o'clock in the morning, in the vestry-room or other more convenient place to be named by such returning officer, in each and every such parish hamlet chapelry township or other division respectively, there to receive by themselves or their sufficient deputy the vote or votes of any person or persons having a right to vote at such election, residing in such parish hamlet chapelry township or other division respectively above five miles from the place of election for such district, who shall be desirous of tendering his or their vote or votes to be there received for such election : and the several overseers of each and every such parish hamlet chapelry township or other division, or some one or more from each and every such parish hamlet chapelry township or other division in pursuance of such notices (under the penalty of to be paid by each and every of them who shall make default therein, to be paid to the poor of such parish hamlet chapelry township or other division in case one or more of such overseers respectively shall not attend accordingly,) shall attend at the time and places respectively appointed in and by such notices, and shall then and there by themselves or some one or more of them, or by their sufficient deputy which they or those of them attending respectively are empowered to appoint, and open a poll for such parish hamlet chapelry township or other division for the reception of all such votes so to be tendered as aforesaid ; which said poll shall be kept open for the purpose aforesaid for the space of five hours at the least from the hour of nine o'clock in the morning for three days then next following, exclusive of the first day of such poll, provided the poll at the principal place of election for such district shall be so long kept open and not longer, and if such poll at the principal place of election shall be closed, or if all the persons entitled to vote at such election and residing in any such parish hamlet chapelry township or other division above five miles from the place of election for such district shall have been polled before the end of such three days, then the poll so taken before such overseers or their deputies respectively shall be closed as soon as the person taking any such poll shall receive sufficient notice or information of the closing of such principal poll, or that all such persons

have been polled; and such overseers respectively or their deputy taking any such poll as aforesaid shall on the daily close of such poll and immediately after the close thereof transmit the amount of the number of votes tendered to and received by such persons respectively in the course of such days poll for each and every candidate at such election, and at the final close of such poll shall transmit the original poll so taken for such parish hamlet chapelry township or other division, with the account of the numbers thereof, to the returning officer of the district wherein such parish hamlet chapelry township or other division shall be situate, by some messenger or messengers specially appointed by such overseers respectively for such purpose, who shall with all possible expedition convey the same; and if any person or persons shall molest obstruct or assault such messenger or messengers in the due execution of his or their duty in conveying such parish hamlet chapelry township or other division poll, or the account thereof as aforesaid, such person or persons being thereof lawfully convicted shall be liable to be imprisoned for any time not less than months as the court before whom such person or persons shall be convicted shall think proper; and every returning officer, on the receipt of the account and amount of any such parish hamlet chapelry township and other division poll, shall accordingly add such numbers as shall have voted at such parish hamlet chapelry township or other division poll for any candidate or candidates at such election to the numbers appearing on the principal poll taken at the place of such election for such candidate or candidates respectively.

And be it further Enacted, That any overseer or overseers, or their deputy, before whom any such parish hamlet chapelry township or other division poll as aforesaid shall be taken, shall have all the same powers and authorities in taking such poll as shall by law appertain to, and shall take and have power to administer the same oaths as by law are and shall be directed to be taken and administered by any returning officer of any such district as aforesaid; save and except that if any dispute shall arise as to the validity of any vote tendered to any overseer or

Overseers or their Deputy shall have same Power as Returning Officers.

overseers or their deputy, objected to by any candidate or candidates at any such election, or by his or their agent or agents, or by any two or more persons having right to vote at such election, on any objection stated in writing by the person or persons so objecting, such overseer or overseers or deputy shall not receive or record such vote, but the question of the admissibility of such vote shall be referred to the returning officer of such district to whom the same may be again tendered at the place of holding such election, and who shall decide in some convenient place (to be appointed by him for that purpose on or before the first day of election) all disputes whether arising at the principal place of election or at any parish hamlet chapelry township or other division poll relating to votes tendered at such election; and if on investigating any such disputes such returning officer shall be of opinion that any such votes so objected to ought to be received, then such returning officer shall give a written authority to the proper poll clerk for receiving such vote, or shall personally direct such proper poll clerk to receive the same; upon which no further objection shall be made to such vote, but the same shall be immediately received.

AND be it further Enacted, That for the remuneration of any deputy and of any messenger or messengers
For remunerating Overseers' Deputy, and Messenger. to be appointed by any such overseers to take such parish hamlet chapelry township or other division poll and to convey such poll and account, there shall be paid by such overseers respectively to every such deputy the sum of half a guinea for each and every day such parish hamlet chapelry township or other division poll shall be kept open, and to the messenger or messengers such sum or sums of money as shall appear to such overseers a reasonable and fair remuneration to such messenger or messengers for their trouble and the expenses attending the conveyance of such poll and accounts; which several sums of money shall be paid by such overseers or any of them out of and charged upon the poor rates of such parish hamlet chapelry township or other division and included in the accounts of such overseers respectively.

AND whereas it would be necessary to make some provision for the remuneration of the deputies of return- Remuneration to De-
ing officers ; but it would be desirable that puty returning Officers.
such remuneration should be limited to such reasonable and proper
amount as would not exceed a fair and adequate remuneration, for
the trouble attendant on the situation of any such deputy returning
officer ; Be it therefore further Enacted, That there shall and may
be paid to the deputy of any returning officer of any such district
such sum and sums of money, for the several acts and things pro-
vided and directed to be done by such deputy returning officer by
this act for and towards the holding and conducting of any such
election, as the court of quarter sessions for the county wherein any
such district shall be situate shall direct and appoint, upon a table
of fees to be presented to such court of quarter sessions by the
clerk of the peace for such county at the Midsummer quarter sessions
for such county in each and every year : Provided nevertheless,
that nothing herein contained shall be construed to permit any such
court of quarter sessions to grant any fee or remuneration what-
soever to any magistrate being such returning officer as aforesaid,
but every such magistrate shall perform the duties of such office
without any fee reward or remuneration whatsoever.

AND whereas it is just and right that those who have the benefit
of an election should pay the expenses How Expenses to be
attendant thereon ; Be it therefore further defrayed.
Enacted, That all the expenses of any election, as well the reason-
able and necessary expenses incurred in providing or erecting polling
places and procuring and paying poll clerks and other persons em-
ployed therein, as any other expenses authorized by this act and
necessarily attendant on such election, shall be borne and paid out
of the poors rates of the several parishes hamlets villages chapelries
townships and other divisions in the district for which such election
shall be held, and shall be paid by the overseers of such parishes
hamlets villages chapelries townships and other divisions out of the
poors rates of the same to the returning officer or his deputy, in
such fair and rateable proportions in proportion to the amount of

the poors rates of such parishes hamlets villages chapelries townships and other divisions respectively on a rack rent, as near as the same can be ascertained, as such returning officer and any other magistrate of the county wherein such district shall be situate, by warrant under their own proper hands and seals directed to the overseers of such parishes hamlets villages chapelries townships and other divisions respectively, shall direct and appoint.

AND whereas it would be desirable to reduce as far as possible the expense of county elections; Be it
 Sheriff to appoint more than one Booth if necessary in each Hundred. therefore further Enacted, for the more easy taking of the poll and preventing confusion at county elections, That from and after the termination of this present parliament, at every election of a knight or knights of the shire to serve in parliament for any county within England or Wales, the sheriff or sheriffs of such county, or in his or their absence the under-sheriff or such as he shall depute, shall and he and they are hereby required, without request by any candidate, on the taking of any poll on such election to make erect or hire and appoint or cause to be made erected or hired and appointed at the principal place of holding such election, such number of booths or polling places separate and distinct from each other, and not being in any case fewer than the number of hundreds rapes lathes wapentakes wards or other divisions in such county, but more if they shall be required, as shall seem to him necessary and convenient, with good and free access thereto respectively for taking such poll without tumult or confusion; and shall appoint a proper clerk or clerks at each of the said booths or polling places to take the poll, who shall be paid not exceeding one guinea per day each clerk; and which said booths or polling places and clerks may be increased if necessary during such election, and which said booths and polling places shall be used respectively in like manner; and lists for each of such booths or polling places shall be made out and copies thereof delivered in like manner as is now directed for booths or polling places erected for taking the poll in county elections under and by virtue of the laws now in force.

AND be it further Enacted, That no poll taken for any county for the election of a knight or knights of the shire shall after the termination of this present parliament be kept open longer than ten days exclusive of the first day of such election, and if it shall continue open to the tenth day then such poll shall be finally closed at or before three o'clock on such tenth day in like manner as such polls are now required by law to be closed on the fifteenth day of such polls.

AND be it further Enacted, That from and after the termination of this present parliament every freeholder who shall have any freehold estate in any lands tenements or hereditaments of the clear yearly value of forty shillings over and above all rents and charges payable out of or in respect of the same, lying within any city borough town or other place in England or Wales which is a county of itself, shall be entitled to vote at all elections for knights of the shire to serve in parliament for the county at large within which such city borough town or other place which is a county of itself shall be situate; and such freeholders before they are admitted to poll shall if required take the like oaths as other freeholders for counties are now by law required to take.

Freeholders of Forty Shillings in Towns which are Counties to vote for County Members.

AND be it further Enacted, That from and after the termination of this present parliament, every person who shall hold any lands or tenements of the clear yearly value of forty shillings over and above all rents and charges payable out of or in respect of the same under or by virtue of any lease or leases, or for any term of years, which lease or leases shall be renewable from time to time for ever at the will of the lessee, and every person who shall hold any lands or tenements of the clear yearly value of forty shillings over and above all rents and charges payable out of the same under and by virtue of any lease or leases for any term of years whereof not less than twenty-one shall be to come and unexpired at the time of such person tendering his vote, shall be entitled to vote for the knights of the shire of that

Leaseholders to vote in Counties.

I have listened with the greatest attention to the long, and may I be permitted to add, desultory speech of the Noble and Learned Lord (Wynford) who has just sat down; and I can assure him, that if any interruption came, during a part of that speech, from this side of the House, it was not with a view of impeding the course of the Noble Lord's arguments, but merely for the purpose of setting him right as to the grounds on which those arguments were founded. As for the speech of the Noble and Learned Lord, it has embraced many topics and related to many subjects; but of these, some are entirely unconnected with the question itself, and others with its present stage. In one portion, he alluded to the Household of their Majesties; in another, to the inconsistency of the Reverend Bench; in a third, to the state of the Irish Church; and in a fourth, to the state of the Manufactures of India. The Noble and Learned Lord also entered into a long examination of the details of the Bill, into which I cannot follow him, because the principle of the measure is alone under discussion at the present moment. Of this, indeed, the Noble and Learned Lord seemed to be fully aware himself, when he apologised for detaining your Lordships so long in discussing the Clauses of the Bill, on the ground that, as we were not likely to go into a Committee, he should never have an opportunity of examining them. Now, as I feel certain that this Bill will go into a Committee, I must decline following a course so inconsistent with the rules and regulations of the House.

AND for the purpose of lessening the expense of electors of knights of the shire for the several counties of England and Wales, and for the greater convenience of voters, Be it further Enacted, That it shall and may be lawful for any person having a right to vote, at any election of a knight of the shire or knights of the shire to

In Counties Votes may be tendered to the High Constables of Hundreds &c. or their Deputies at such Place as shall be appointed; but any Person who prefers it, to be entitled to vote at the principal Place of Election.

serve in parliament for any counties in England or Wales, to tender his vote, if he shall be willing so to do, to the high constable or constables or other principal peace officer for the time being of the hundred half hundred rape lathe wapentake ward or other division within such county wherein the property in respect of which such person shall be entitled to vote shall be situate, or to his or their sufficient deputy appointed for that purpose, at such time and place as shall be appointed for receiving such votes as hereinafter provided; and all votes so tendered shall be received and recorded by such high constable or constables or other principal peace officer or his or their sufficient deputy to whom the same shall be tendered, in manner hereinafter provided, and shall be as good and valid for the candidate or person for whom the same shall be tendered, to all intents and purposes, as if such votes had been tendered and received at the principal place of holding the election for such county: Provided nevertheless, that nothing herein contained shall be construed to prevent any person whomsoever, having a right to vote at such election, from voting at the principal place of holding such election, if he shall think proper so to do, in preference to voting at such place as shall be appointed for that purpose within such hundred half hundred rape lathe wapentake ward or other division as aforesaid.

AND be it further Enacted, That when the sheriff of any county in England or Wales shall receive any precept requiring such sheriff to proceed to the election of a knight or knights of the shire to serve in parliament for such county, such sheriff shall within two days next following the receipt of such precept give notice in writing

Sheriff to issue Precept to High Constable to take Votes tendered within their respective Hundreds.

of such precept to the high constable or high constables or other principal peace officer or officers for each and every hundred half hundred rape lathe wapentake ward or other division within such county, and shall require such high constable or constables or other principal peace officer to attend on the day next after the first day of election appointed for such county by nine o'clock in the morning at some convenient place within the hundred half hundred rape lathe wapentake ward or other division for which he or they shall be high constable or constables or other peace officer, to be named by such sheriff in such notice, there to receive by himself or themselves or his or their sufficient deputy the vote or votes of any person or persons, having right to vote at such election, who shall be desirous of tendering and entitled to tender his or their vote or votes to be there received for such election; and the high constable and constables or other principal peace officer of each and every such hundred half hundred lathe wapentake ward or other division, shall, in pursuance of such notice, giving good and sufficient notice throughout the hundred of the time and place appointed, to be given forthwith on the receipt of such requisition, attend at the time and place respectively appointed in and by such notices, and shall then and there by himself or themselves, or his or their sufficient deputy whom he or they is and are hereby empowered to appoint, open a poll for such hundred half hundred rape lathe wapentake ward or other division for the reception of all such votes to be tendered as aforesaid, which said poll shall be kept open for the space of hours at the least from the hour of nine o'clock in the morning for five days then next following, exclusive of the first day of such poll provided the poll at the principal place of election for such county shall be so long kept open, and no longer; and if such poll at the principal place of election for such county shall be closed, or if all the persons entitled to vote at such election in respect of any property within any such hundred half hundred rape lathe wapentake ward or other division, or so many as shall desire so to do, shall have been polled before the end of such five days, then the poll so to be taken before such high constables or other principal peace officers respectively or their respective deputies shall be closed as

soon as the person taking any such poll shall receive sufficient notice or information of the closing of such principal poll, or that all such persons so entitled and desirous to vote as aforesaid have been polled; and such high constables or other peace officers respectively or their respective deputies taking any such poll as aforesaid shall on the daily close of such poll and immediately after the close thereof transmit the amount of the numbers of votes tendered and received by such persons respectively in the course of each day's poll for each and every candidate at such election, and at the final close of such poll shall transmit the original poll so taken for such hundred half hundred rape lathe wapentake ward or other division, with the account of the numbers thereof, to the sheriff of the county wherein such hundred half hundred rape lathe wapentake ward or other division shall be situate, by some messenger or messengers specially appointed by such high constables or other principal peace officers respectively for such purpose, who shall with all possible expedition convey the same; and if any person or persons shall molest obstruct or assault such messenger or messengers in the due execution of his or their duty in the conveyance of such hundred half hundred rape lathe wapentake ward or other division poll or the account thereof as aforesaid, such person or persons being lawfully convicted thereof shall be liable to be imprisoned for any time not less than months, as the court before whom such person or persons shall be convicted shall think proper; and every sheriff on receipt of the account and amount of any such hundred half hundred rape lathe wapentake ward or other division poll shall accordingly add such numbers as shall have voted at such hundred half hundred rape lathe wapentake ward or other division poll for any candidate or candidates at such election to the numbers appearing on the principal poll taken at the place of such election for such candidate or candidates respectively.

AND be it further Enacted, That every high constable or constables or other peace officer or their deputy before whom any such last mentioned poll as aforesaid shall be taken, shall have and shall be bound by all the same powers and

High Constables to take the same Oaths and have the same Powers as Returning Officers, except as to disputed Votes.

authorities in taking such poll as shall by law appertain to, and shall take and have power to administer the same oaths as by law are and shall be directed to be taken and administered, on such election, by the sheriff of the county wherein such hundred half hundred rape lathe wapentake ward or other division shall be situate; save and except that if any dispute shall arise as to the validity of any vote tendered to any such high constable or constables or other principal peace officer or their deputy, objected to by any candidate or candidates at any such election, or by his or their agent or agents, or by any two or more persons having right to vote at such election, on any reasonable ground stated by the person or persons so objecting, such high constable or constables or other principal peace officer or his or their deputy shall not receive or record such vote, but the question of the admissibility of such vote shall be referred to the sheriff of such county, to whom the same may be again tendered at the principal place of holding such election, who shall decide all disputes relating to votes tendered at such election, and if on investigating any such disputes such sheriff shall be of opinion that any such votes so objected to ought to be received, then such sheriff shall give a written authority to the proper poll clerk for receiving such vote, or shall personally direct such proper poll clerk to receive the same, upon which no farther objection shall be made to such vote, but the same shall be immediately received.

And be it further Enacted, That for the remuneration of any high constable or other peace officer or any deputy of such high constable or other peace officer taking such last-mentioned poll in any county, and of any messenger or messengers to be appointed by any such high constable or other peace officer to convey such poll and accounts, there shall be paid by the sheriff of such county to every such high constable or other peace officer or his deputy taking such poll the sum of one guinea for each and every day such poll shall be kept open, together with the reasonable expense, if any, attendant upon giving notice of such poll and procuring a fit and proper place to take such poll in, and to

the messenger or messengers such sum or sums of money as shall appear to such sheriff a reasonable and fair remuneration to such messenger or messengers for their trouble and the expenses attending the conveyance of such poll and accounts; which several sums of money shall be paid by such sheriff, and reimbursed to him in manner hereinafter provided.

AND be it further Enacted, That all the expenses of any election for a knight or knights of the shire to serve in parliament for any county in England and Wales, as well the reasonable and necessary expences incurred in providing or erecting booths and polling places as well in the several hundreds half hundreds rapes lathes wapentakes wards and other divisions as in the principal place of holding such election, and of procuring and paying poll clerks and other persons employed therein, as any other expenses thereof authorized by this act and necessarily attendant on such election, shall be borne and paid out of the county rate of the county for which such election shall be held, and shall be paid by the clerk of the peace or treasurer of such county to the sheriff of such county, on demand thereof, out of the county rate of such county; and in default of payment thereof one month after such demand, such sheriff may recover the amount thereof by action of debt or assumpsit in any of his Majesty's courts at Westminster, to be brought against the clerk of the peace or treasurer of such county, in which it shall be lawful for such sheriff to lay the venue either in the same or some neighbouring county, and in case such sheriff shall recover the full amount demanded of such clerk of the peace or treasurer, then such sheriff shall also recover and be paid double costs of suit.

AND whereas in and by an act of parliament made in the first year of the reign of his late Majesty King George the First, intituled, "An Act for enlarging the time of continuance of Parliaments appointed by an Act made in the sixth year of the reign of

How Expenses to be defrayed.
1 Geo. 1. c. 38. Repealed; and Parliaments to be Triennial.

King William and Queen Mary, intituled, An Act for the frequent meeting and calling of Parliaments," it was enacted, that the then present parliament, and all parliaments that should at any time thereafter be called assembled or held, should and might respectively have continuance for seven years and no longer, to be accounted as therein mentioned ; And whereas the frequent meetings and callings offreshparliaments tend to the promotion of the independence of parliament and the happy union and good agreement of the king and people ; and it is therefore expedient that the time of continuance of parliaments should be shortened ; Be it therefore Enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons, in parliament assembled, that the said Act, intituled, " An Act for enlarging the time of continuance of parliaments appointed by an Act made in the sixth year of the reign of King William and Queen Mary, intituled, an Act for the frequent meetings and callings of parliaments," shall be and the same is hereby wholly Repealed and declared to be null and void to all intents and purposes whatsoever as if the said Act had never been had or made, and that from henceforth and from and after the dissolution or expiration of this present parliament, no parliament whatsoever that shall at any time hereafter be called assembled or held, shall have any continuance longer than for three years only at the furthest, to be accounted from the day on which by the writs of summons the said parliament shall be appointed to meet.

AND be it further Enacted, That this present parliament shall
 cease and determine on the day
 Present Parliament to ex- of which will be in the
 pire on year of our Lord unless previously
 dissolved by the King's Most Excellent Majesty.

And be it further Enacted, That before any person can be returned
 to sit in parliament for any county shire or
 Oath to be taken by district within England or Wales, he shall
 Candidate. take and subscribe the oath following, and

which he shall repeat and again subscribe at the table of the House of Commons before he is admitted to take his seat :

' I, *A. B.* do swear (*or affirm*) that I have not, directly or indirectly, given or offered, or promised to give procure or allow, and will not give or offer or promise to give procure or allow, by myself or any other person, and have not directly or indirectly authorized, and will not authorize any other person for me or on my behalf, either directly or indirectly, to give or offer, or to promise to give procure or allow any sum of money place office or employment gift or reward, or any promise or security, or the hope or expectation of any money office or employment or gift, to any person entitled or claiming to vote at this election, or to any person for or in trust for him or any of his family, in order to influence his vote at this election."

Which oath the proper officer to whom the return of any writ or precept for such election shall belong, or his deputies, are required to administer, under a penalty of five hundred pounds for omitting so to do, such penalty to be recoverable in any of His Majesty's courts of record at Westminster by any person having a right to vote for such place; and in case any person taking the said oath shall therein commit perjury and shall thereof be convicted by due course of law, such person shall incur and suffer the pains and penalties which by law are enacted or inflicted in cases of wilful and corrupt perjury.

AND be it further Enacted, That every person or persons who shall be convicted, by the evidence of two witnesses, of having given or offered or of having promised to give or allow any sum or sums of money office or employment, to any person whomsoever, in order to influence the vote of any elector or his choice of a person to serve as a member in the high court of parliament, shall be held to be guilty of bribery, and be subject to all the pains and penalties enacted or inflicted in cases of

Persons guilty of Bribery, and convicted by two persons, to suffer all the Penalties, &c. now inflicted by Law.

bribery, and shall suffer all the pains and penalties disabilities and disqualifications now inflicted and attendant on persons proved to be guilty of bribery at elections of members to serve in parliament.

AND be it further Enacted, That no ambassador or other person
Ambassadors, &c. to be incompetent to sit in Parliament. whomsoever having or accepting any office commission or employment under His Majesty, whether civil or military, the duties whereof shall be executed out of the United Kingdom, shall be capable of being elected or of sitting or voting as a member of the house of commons in any parliament which shall be hereafter summoned and holden ; and if any person who shall be elected to serve as a member of the house of commons in any parliament which shall be hereafter summoned and holden shall during such time as he shall continue a member accept or take any such office commission or employment, his election shall be and is hereby declared to be void, and the seat of such person shall be thereby immediately vacated, and a new writ shall issue for a new election in the room of such person as if such person so accepting was naturally dead.

AND be it further Enacted, That all statutes now in force touching
Statutes now in force relative to Elections, continued. or concerning the qualification election or return of knights of the shire or of burgesses to serve in the high court of parliament, shall be held to extend and the same are hereby declared to extend to the qualification election and return of knights of the shire and members to be elected and chosen to serve in the said high court of parliament under or by virtue of this act, so far as the provisions of the said statutes shall be applicable to the same, and in so far as they are not varied or altered or repealed by the present Act.

AND be it further Enacted, That this Act and the provisions thereof shall extend to that part of the United Kingdom called England and Wales, and no further.

Schedule (A.)

A SCHEDULE containing the several Districts throughout *England* and *Wales*, to return hereafter One or more Members to serve in the Commons House of Parliament.

Country within which the District is situated, and to the Sheriff of which the Writ to issue.	Name of District.	Parishes and Places comprised in such District.	Place of Election.	Number of Members to be returned.

Schedule (B).

A SCHEDULE containing the Form of Notices to be given of the Time and Place of holding Elections, to be affixed on Churches, &c.

No. 1.

A General Notice of the Time and Place of Election in Districts where no Votes are to be tendered to Overseers.

Election of a Member to serve in Parliament for the District of

NOTICE is hereby given, That an Election of a Member to serve in Parliament for this District, will be held on Monday next, the day of at the
(naming the place of election) at the hour of Nine o'clock in the Morning. Dated this day of

A. B. Returning Officer.

No. 2.

Form of Notice to be added to the above in Districts where Votes are to be tendered to Overseers of Parishes.

And NOTICE is hereby further given, That any Persons residing within the several Parishes (or Hamlets, &c. naming the Parishes, &c. of which any part is more than five miles from the principal place of election) of who reside more than five miles from the said town of and who may be desirous of polling, without coming to the said town of may tender their votes to the Overseers of their said respective Parishes, Hamlets, &c. at the places hereunder written, and for that purpose appointed respectively, where such Votes will be respectively received. And the Overseers of the said Parishes Hamlets, &c. are hereby respectively required to meet at such places accordingly, on Tuesday the day of at Nine o'clock in the Morning, to open a Poll to receive any such Votes. Dated this day of

A. B. Returning Officer.

PLACES for tendering Votes in the above Parishes, Hamlets, &c. respectively.

Parish of A. - - Vestry Room of said Parish,
Hamlet of B. - - School House at in said Hamlet,
Hamlet of C. - - Hustings to be erected at in said Hamlet

As the Returning Officer shall direct.

SPEECH

IN THE

HOUSE OF LORDS, MONDAY, MARCH 28, 1831,

ON THE

REFORM BILL.

MY LORDS,

I can assure the Noble Viscount (Sidmouth) that I should not have persisted, under ordinary circumstances, in claiming to be heard before him ; but under the peculiar circumstances of the case, connected, as I am, with the administration who have originated the measure of Reform now before the other House of Parliament, I feel called upon to reply to my noble friend ; otherwise, I would most readily have given way to a member of your Lordship's House, of much less experience, and of less character than the Noble Viscount. I am glad, however, that an opportunity has been afforded to my noble and learned friend (the Lord Chancellor) to show that the Noble Viscount was much more out of order in adopting the line of conduct which he did than my noble friend, whose speech he declared to

be so disorderly ; for, I would ask, what can be more irregular—what more contrary to justice—what more opposed to fairness and impartiality of debate—than, after hearing a long and able speech against a certain measure, to stand up and declare that, to listen to a reply in defence of that measure, would be disorderly, and contrary to all the usages and customs of Parliament ?

But my noble and learned friend on the Woolsack has so ably exposed the inconsistency—nay, the gross injustice of this attempt to induce your Lordships to stop at the present stage of the proceedings, and the general sense of the House has been so strongly marked on the occasion, that I need say no more on the subject.

With regard to the speech of my noble friend opposite, I certainly shall not attempt to answer in detail all the points on which he dwelt, as I have neither health nor inclination to do so now. I am delighted, however, that an opportunity has been afforded me of disabusing the mind of my noble friend, and of many of your lordships, with respect to certain misrepresentations and misconceptions which have been so industriously propagated. Before I enter on the consideration of the principle and details of the bill, against which my noble friend, with so much zeal and ability, has raised his voice, I feel myself bound to declare that I believe my noble friend to be actuated in his opposition by nothing approaching either to factious or party motives. I

have known my noble friend too long, not to be well aware that he is only actuated by a sense of public duty for the promotion of what he conceives to be the public interest. The Noble Lord and myself have long served together in Parliament, and from the experience of him, which I have had an opportunity of acquiring during our intercourse, I am satisfied that whatever interest he may have in supporting the present system, as proprietor of the borough of Bossiney, it is impossible to attribute the conduct which the Noble Lord may pursue to any motive of a personal nature.

The Noble Lord has complained of the language used by the public press, and of the violence and zeal with which the writers of it have advocated the great measure of Reform which Ministers have brought before the other House. My noble friend complains of the inflammatory nature of that language, but is he not aware that this is only a warning of the strength of public opinion, and of the consequent folly of an obstinate resistance to it? He must know that the press is but the echo of public opinion, deriving nearly all its strength from it, and that by means of it a statesman can judge with tolerable accuracy of the force and current of the public mind. The public press is a most useful guide of the strength and direction of the voice of the people, on questions of great interest. When it is general in its advocacy of any great measure, it is so because the feelings of the public are deeply interested in its success; and

so it is with the great measure of Reform, and the manner in which it has been treated by the Press. If a proof be wanting of the sentiments of the nation with respect to this measure, your lordships may discover it in what my noble friend complains of—the general unanimity---for the exceptions are too few, and of too low a character, to be taken into account—the unanimity with which every journal distinguished for talent, extensive circulation, or character, has advocated, not merely the principle of a Reform of Parliament, but the particular plan brought forward by his Majesty's Ministers. Why does this unanimity exist, I repeat, unless public opinion is directly in favour of it? Even my noble friend has admitted, that the irresistible force of public feeling has compelled him---the enemy of every species of parliamentary reform all his life---to admit that some measure of reform is necessary, and can no longer be withheld.

Here let me refer to the charges brought by my noble friend, against the advocates of this bill, of having sanctioned an unfair use of the King's name. This has been made a ground of serious complaint, but I think that very little is necessary to show how extravagant such a charge is. If the name of the Sovereign has been so introduced, it has not been by his Ministers—nor was it even necessary that we should. The fact of the King's approbation of the measure was evident when we proposed it to Parliament, which we could not have done without his

consent. If the name of the King was introduced at all by other advocates of the measure, it was only in consequence of the attempts made with such industry, by its opponents, to excite a belief that his Majesty was opposed to reform. The introduction of the King's name at all was not our act, and I most distinctly deny, on the part of the Government, that we ever sanctioned or used that sacred name with a view to influence the conduct of any individual. The present Ministry accepted office on the condition of bringing forward a measure of reform, of which they received his Majesty's sanction and support; the importance of which sanction my noble friend has fully recognised, by admitting, that, after his Majesty allowed my noble relation to form an administration on the principle of reform, the question could no longer be resisted.

Let me remind your lordships of the peculiar circumstances under which the present administration accepted the seals of office. The late Government of the Noble Duke opposite fell, not from a want of inclination to retain the reins of power---not from any factious opposition or party combination on the part of those who had been for years excluded from office---not in consequence of the division on the Civil List---but from a want of confidence in the public in its capability to manage the affairs of the country---a want of confidence loudly expressed at the General Election, and increased by the emphatic declaration of the Noble Duke against all reform

whatever. This declaration it was, more than any thing else, that led to the fall of the Noble Duke's Government, by depriving it of the support of the public. I heard the Noble Duke make that declaration---I heard him say, also, that he not only thought Parliamentary Reform unnecessary, but that if he had himself to frame a constitution he could not organize one more perfect than that now in existence; and never shall I forget the impression which it made on my mind, and on the mind of the nation at large. It was on account of this declaration of the Noble Duke, I repeat, and not in consequence of any party hostility---it was not his defeat on the Civil List---it was not in consequence of any particular vote of this or the other House of Parliament, but because many, I believe all, of the colleagues of the Noble Duke were anxious to resign their places, as they saw that the Government could not be safely carried on after the declaration of his opinion on the subject of reform, that his administration was dissolved. Never was a ministry less exposed to the attacks of the party out of power, than the late ministry was---never did an administration fall so completely from a want of confidence in itself, arising from the absence of public support.

I am sure that neither the Noble Duke, or your Lordships, can forget the conduct of my noble relative near me, and his colleagues now in office, when the Catholic Relief Bill was brought forward. The advocacy of that great measure had excluded us from

political power---the just object of every Englishman's ambition---their opposition to it had enabled our political adversaries to retain office for a long series of years. And yet, what did we do when the Noble Duke, avowedly through intimidation and fear, brought forward the very measure for advocating which, on the sound principle of political justice, we were excluded from office? We not only suffered him to carry away all the credit of the measure at the very last moment, but we did so when we and he knew, that unless he succeeded in carrying it, his administration was at an end. Nay more; had we been actuated by any motives of party or factious hostility to the Government, we might have taken a stand on the proposition to disfranchise the forty-shilling freeholders; for it is well known that many of us entertained strong feelings against the propriety of that measure---but consulting only the public interest and the welfare of the country, which we knew would be promoted by the success of that great question, of which we had been the early and zealous advocates---we did not oppose the Disfranchisement Bill, knowing that if we did, the great Relief Bill would be defeated. This conduct shows how little the fall of the Noble Duke's Government was influenced by party hostility, and how wholly it was owing to the effect of the withdrawal of public confidence, consequent upon his declaration against Parliamentary Reform.

My Lords, let me now take the liberty of replying

to the charge of precipitate rashness urged by my noble friend, against my noble relation, for having brought forward this question so soon after his acceptance of office. I would ask him to recollect the state the country was in at that period. We found several districts seriously disturbed—the public mind in a ferment—no confidence in the civil power—a spirit of combination ripe among the workmen in the manufacturing towns, and the population of six of the most important counties in the south of England—namely, Kent, Sussex, Surrey, Berkshire, Hampshire, and Wiltshire, in a state of almost open insurrection and rebellion—a ready prey to incendiaries, and plunderers of every description. We found, moreover, the civil power without energy or direction—the magistrates in the disturbed districts afraid to act, and the King's peaceable subjects either besieged in their houses by night, or openly maltreated and plundered in the day. We found a still more dangerous state of things in the unwillingness of the middle classes to support the Government in the suppression of these disturbances—an unwillingness which we found carried to such a pitch on our accession to office, that I am confident even so experienced a military commander as the Noble Duke himself, would have found it no easy matter, by the mere aid of an armed soldiery, to pacify the disturbed districts, unaided, or at best but feebly and coldly supported, by that important body in every free state—the middle classes. This was the state of the

country, not only in the disturbed districts in the South of England, but in the large towns in the manufacturing districts of the North. In this almost desperate situation did our predecessors leave the country, when they resigned their offices! What, then, did we do, and with what success? We first won back the confidence and support of the middle classes. This important body we found alienated from the civil power by the declaration of the Noble Duke against reform;---that alienation was removed by the open and uncompromising pledge of my noble relation in favour of reform. Having thus produced this important effect on the public mind---having enlisted the confidence of the country in our intentions to administer, on right principles, the affairs of this great empire, and having firmly, yet mercifully, asserted the majesty of the law, public tranquillity was restored, and the way was prepared for that internal improvement and amelioration which is now so generally perceptible.

Having then, on our accession to office, given a pledge in favour of reform, the question was as to the manner and period of our fulfilling it. I need not tell your Lordships that, if Ministers had contented themselves with barely redeeming their pledge by some small measure of reform, just sufficient to fulfil the promise they had given, this would not have satisfied the just wishes and expectations of the public. Such a course would not have been fulfilling the spirit of the pledge given, nor would it have been what the people had a just right to expect. It

would not have strengthened the Administration—but it would have weakened it, by sowing the seeds of future discontent and agitation, and would have further increased that want of confidence in the sincerity of statesmen which has so long prevailed, with the worst effects, in the public mind. Besides, I know that there is no policy more blindly mischievous than an obstinate resistance to the just claims of the people: your lordships well know that no lesson of history has been more frequently taught than that the ill-timed refusal of such demands of a nation have no other effect than to raise them higher and higher, till you are compelled to yield, without thanks, what, if timely granted, would have been received with gratitude. Ministers knew and felt this, and therefore were determined that their measure of reform should be one, from its broad basis, and from its adaptation to the just demands of the people, of permanent settlement. My noble friend, it is true, denies that the measure will be a permanent one; but his denial is only an assertion entirely unsupported by facts or reasoning. We on the other hand affirm, that by our plan an end will be put at once and for ever to the rotten-borough system, and the elective franchise bestowed on a large and important class which at present are denied it—in other words, we at one blow remove a great abuse and provide an efficient remedy---we enable all those who possess sufficient property to insure their independence to exercise the elective right; and, without yielding to extravagant demands, we satisfy the just

meeting of electors must necessarily end in broken heads and broken windows. I, on the contrary, am prepared to show, by a reference to the history of representation, that the violence consequent upon popular excitement is in the inverse ratio of representation; that is, it diminishes in proportion as the inhabitants are admitted to the free exercise of their franchise. Nor need I go far, either in point of time or place, for a proof. The Noble Earl may have seen, at all events heard of, the large assemblies which have within the last few days met, and expressed strong opinions, in Mary-le-bone and the other unrepresented districts of the metropolis, but has neither seen nor heard of any such proceedings in Westminster. There was a meeting of the electors of Westminster, it was true, but it was confined to a comparative few, and was peaceable in its demeanour—why? simply because Westminster was faithfully represented. There was no lack of zeal on the part of its inhabitants,—quite the contrary; but their calmness amid the stirring scene around them was—

——— the supreme of power,

'Twas might, reposing on its own right arm,—

the arm of representation. If your Lordships look at the places throughout the country most distinguished in the annals of popular violence, you will invariably find that the violence was greatest where the representation was either altogether not in existence, or most imperfect. In London there has been

I now come to the Bill itself, which, rather irregularly, I own, has been so unsparingly discussed and criticised by my noble friend---but I do not complain of this proceeding on his part---on the contrary, I rejoice at every opportunity that is afforded His Majesty's Ministers of explaining and defending, here, the measure which is now pending in the other House. The first part of the bill to which my noble friend objects, is that which cuts off the rotten boroughs; and he is pleased to call this a breach of the constitution of the House of Commons. Now, I cannot conceive that any measure, short of lopping off altogether these rotten boroughs, can produce those beneficial results which we anticipate from the present bill. These boroughs are so monstrous an abuse---they are so wholly indefensible---that it is hardly necessary for me to detain your lordships by entering into a detail of the hideous defects of the system, and the gross bribery and corruption to which it leads. We have had so many proofs daily before our eyes of these abuses---we have them in the printed records of the evidence, given at our bar, in the cases of Penryn, Grampound, and East Retford, in which bribery and corruption were as notorious as the sun at noon-day---that it is almost a waste of time to do more than mention them. Have your lordships forgotten the evidence to which I have just alluded? My noble friend, at any rate, has not; for he has complained that this House, by its strict adherence to the rules of evidence, in these

cases, has prevented the adoption of a trifling and "bit-by-bit" reform, and thus produced this universal demand for a more comprehensive measure. Then as to the notorious corruption of the rotten-borough system? Do you not know that persons of every description buy and sell seats in the other House of Parliament? That Jews as well as Christians deal in the right to nominate members of the legislature? Has the threat of a noble borough-monger been forgotten, that he would put his own menial in parliament---as a representative, forsooth, of the people of England---a threat which was not fulfilled; not from want of power on the part of the proprietor, but from his individual discretion? I myself heard the fact of nominee-ship---that libel on the representation of a free people---distinctly avowed, not long since, in the other House of Parliament; and, in common with, I am sure, many who now hear me, I heard of sales of seats in the other House being a matter of daily occurrence;---that, for example, 1200*l.* a-year was sometimes paid to a borough-dealing attorney for the representation of some rotten borough, of which the person elected, perhaps, had never heard before, and which he would never visit. But the abuses of the rotten-borough system are notorious, and their continuance would be disgraceful. Even in the more open boroughs, need your lordships be informed of what you have in evidence on your own journals---extorted, it is true, by the most unjust and inquisitorial process,

but yet there recorded—and I fear, too well known by practice to some of your lordships individually--the disgraceful bribery and corruption of which they are almost invariably the scene under the present system? These facts are matters of public notoriety, and no reform can possibly satisfy the public mind that permits their continuance. How then, I would ask, could Ministers, in justice to themselves and the country, shrink from boldly and impartially proposing to disfranchise, at once, all those boroughs where such gross abuses exist? We hesitated not for one moment; and determined to propose the extinction of every one borough which could not be purified by the practicable infusion of independent electors. My noble friend has urged some objections to the line which has been drawn in disfranchising those boroughs. I confess I do not think that we could have adopted any fairer course than that which we did. I will enter into a short explanation on this point, as the view His Majesty's Ministers took of the case has been misunderstood in this House as well as elsewhere. In fixing upon a population of 2000 inhabitants in 1821, as the line within which all boroughs should be disfranchised, our object was to cut off all those rotten boroughs for which there could be no purifying remedy by way of extension of franchise. It was not because the boroughs, the population of which was under 2000 in 1821, contained but few electors, that we proposed to extinguish them entirely; but because we could not

possibly extend the franchise in them so as to do away with the evils of the system, without absorbing in them nearly the whole county representation. It was because that line accurately described them---because it included them all---and if the line of 2000 had not affected this, we should have proposed 3000, or any other number which could have effectually accomplished this purpose. This was the reason that we fixed upon the population returns of 1821---not from any attachment to a particular number or theory---and in founding upon them our line of disfranchisement we were wholly influenced by a regard to the general good of the community at large, without consideration of personal detriment, or advantage to friends or enemies.

Here I hope I may be permitted to say a few words in reference to myself, impure motives having been imputed to me, which it is but fair to allow me to refute, the rather as my situation in the government requires such refutation to be explicit. It has been insinuated, that I used my official influence in favour of the county with which I had the honour of being connected, in procuring for it additional members, to which it would not otherwise have been entitled. No language which I can summon to my aid can express my contempt for the baseness of this insinuation, nor can I find words to express my pity for the understandings which could suggest or harbour such an imputation. Need I disclaim being actuated by such low, paltry motives of self-aggrandisement? I

feel that I need not ; for I know that in considering this bill all merely personal or party feelings were absorbed in a desire to promote the general interest of the country. But how does the matter stand as regards the county of Durham ? Simply that it contains 50,000 persons more than the number which has been fixed as the line above which the counties were to receive an additional member. If, therefore, you refrain from granting Durham additional members, the exclusion, on the same ground, must extend to ten other counties, and the North and East Ridings of Yorkshire, which are now included in this bill. It was proposed that Durham should have new members, because it fell within the line of wealth and population which had been fixed upon as a just ground for an extended representation. If, therefore, you exclude Durham, you must also exclude Shropshire, Gloucestershire, Suffolk, Cumberland, Northamptonshire, Sussex, Nottinghamshire, Hampshire, Worcestershire, and Leicestershire.

With respect to the three towns in that county which will return members under the Ministerial plan of reform, all that I need say is, that their population is considerably above the line of population and property which has been, after due deliberation, fixed upon as the basis of extending the representation to large towns. The population of Sunderland and the two Wearmouths is 33,000 ;—of Shields, 16,000 ;—and of Gateshead, 11,000 ; so that, if you do not allow these places to return members, you will

exclude many others. With two of these places I never had any further connexion than that which arose from my being member for the county in which they are situated. With Sunderland I certainly have commercial relations, but not more than my noble friend who expressed his opposition to this plan of reform a few evenings ago, and who has also property and influence in the neighbourhood. Indeed, I should be ashamed to stand up in this House, if such an unworthy motive could, for one moment, have actuated me. I have no parliamentary influence, and therefore exercise none. I have never sought the possession of such influence, contenting myself with having, in my own person, and at an immense cost, asserted the cause of independence in a contested election in my native county. I have no doubt that voters, not elevated to a certain rank of life, might easily have been induced to support my political views—but it never has been an object of desire with me, to establish a parliamentary influence. If, however, I had been accidentally possessed of it, let the extent be what it might, I should be glad to relinquish it, for the sake of the great and beneficial change which the bill before the House is intended to accomplish. I shall say nothing more with respect to the insinuation which has been attempted, so unfairly and unjustly, to be cast upon me.

Having explained to your lordships the principle on which we proposed to disfranchise all Boroughs, where the population was less than 2000 in 1821, I

My Lords, I mention these facts because I consider the desire for reading books, for entering into the investigation of learned and scientific subjects, and the habit of reading and discussing matters of public interest, to be not an unfair criterion of the state of education in this or any other city. In no other town in the world are there so many literary and philosophical societies—so well attended—and at which lectures are delivered which would do honour to the most scientific professors of Oxford or Cambridge. There is one of these which I will especially mention—one of the existence of which I know not whether Noble Lords are aware—I mean the Institution in Aldersgate-street which is entirely supported by tradesmen and clerks in counting-houses. I have never visited it myself, but, from the information which I have received from those who have, I learn that the lectures are of the first description.* Now these persons and others of a similar character would by the plan of the Noble Earl (Carnarvon,) be totally excluded from any participation in the benefits of the elective franchise, which even he admits ought to be the means of representing the intelligence of London, of which they furnish the most convincing proofs.

Here I must remark, that the result of all the Noble Earl's arguments, or rather assertions, is to prove that the constituency to be given to the metropolis by this Bill, will be composed of dangerous

* The Western Institution in Leicester Square is on the same plan—of this Institution the late King was Patron.

persons hostile to the existing institutions of the country. Now I have already said, that in no city in Great Britain have there been so few riots as in London. Let the Noble Earl only reflect on all the circumstances which have marked the excitement of the past week, during which such numerous meetings have been held both in and about the metropolis, at which the speakers have expressed themselves with the greatest boldness, and occasionally with great violence—and yet he cannot say, that there has been the slightest attempt to commit outrages against either person or property. In fact, my Lords, what is called the mob, bears a very small proportion in London to the mass of the population, which consists of tradesmen and shopkeepers interested in the preservation of that good order which is so essential to their prosperity. As a proof of this, I may mention the fact, that 85,000 dividend warrants are regularly issued to persons drawing not more than 5*l.* of dividend from the funds; of these no fewer than 70,000 belong to persons resident in the metropolis. I ask your Lordships—is not this a most important fact? Does it not conclusively prove what a large mass of the middle classes is interested in the support of that very species of property, which is supposed to be the first object of attack from those demagogues and agitators, whom the Noble Earl is eternally denouncing? Is it likely that a class of persons so interested in, and dependent on, the permanence of the existing insti-

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society, the London Institution, together with the British Museum. Lambeth includes the parishes of Christchurch, St. Giles, Camberwell, St. Mary, Newington, and Christchurch, Surrey. It is true that in this borough there are a considerable number of small houses, but there is also a large number of second-rate houses built within the last thirty years, inhabited by respectable and intelligent persons. It contains large glass-works and factories, one especially—I mean that of Messrs. Maudsley, which cost 200,000*l.*, and in which are employed a great number of workmen of the most industrious and respectable description.

I now come to that district, the enfranchisement of which, to my astonishment and surprise, has created more alarm and more feelings of apprehension, than any other portion of this Bill—I mean the Tower Hamlets. It really appears to me that Noble Lords are accustomed to take their notions of the Tower Hamlets from what they may have seen of them when embarking at the Tower stairs to proceed on a voyage to Ramsgate, Margate, or the continent. My Lords, that small portion of it undoubtedly does not present a very splendid appearance, but that spot does not constitute the Tower Hamlets: far from it; for in that district there are the parishes of St. Matthew, Bethnalgreen, St. Leonard, Shoreditch, St. Mary, Whitechapel, St. Paul, Shadwell, St. Ann, Limehouse, Blackwall, Mile End Old Town, Ratcliffe, &c. The

Liberty of the Tower, has also peculiar privileges and jurisdiction---a court-house of its own, and a separate court of requests,---and is, in fact, almost a separate county.... Comprised within its limits are the Tower, the Trinity House, the Mint, the London Docks, the St. Katharine Docks, several of the East India warehouses; nearly all the large sugar-houses, large cooperages, shipbuilding-yards, two great manufactories of chain cables, glass manufactories, founderies, and, lastly, the great silk manufactory, which works, probably, a million of pounds weight of silk yearly. The wealth of the Tower Hamlet district is hardly computable; so great indeed is it, that if the value of the docks and the East India Company's warehouses, which alone cover almost as much ground as many of the great towns in England, is fairly estimated, with other kinds of property, it will be found to contain twice as much wealth as any other of the metropolitan boroughs, or even of the City itself. I must confess that if I am to predict what will be the species of representatives returned by the Tower Hamlets, I should say that, so far from their being persons of no consideration, they are much more likely to be too closely connected with these great establishments. My impression is, that the Directors of the East India Dock Companies will necessarily possess and exercise a great and important influence in the election of Members of Parliament under this Bill; and if this influence is ever converted into a positive controul,

I shall regret it as a great evil. I consider that the great object to be attained in fixing the elective franchise ought to be the independence of the elector; that being secured, I care not how low it descends. It is on this principle that I have ever objected to universal suffrage, because I contend that it is absolutely certain that the workmen and labourers who would then be entitled to vote, cannot be free agents, but must always be under the absolute controul of their masters, on whom they are dependent for their daily pay and sustenance.

I will now state to your Lordships a few facts, for the purpose of establishing a comparison between the four metropolitan districts and other boroughs in the country, as to population, houses, assessed taxes, and 10l. houses. I will commence with the four greatest and most populous. The population of the metropolitan districts is 916,265,—the united population of Manchester, Birmingham, Leeds, and Sheffield, amounts to only 543,273. The number of houses in the metropolitan districts is 144,279; the number contained in the four above-mentioned boroughs is 116,373. The number of houses of the annual value of 10l. in the former, is 84,488—namely, 23,266 in Finsbury, 21,630 in Marylebone, 23,187 in the Tower Hamlets, and 16,405 in Lambeth,—in the latter only 30,939.

As to the number of these metropolitan electors, I must observe, that any Noble Lord who examines the clause conferring the 10l. franchise, will find that

the restrictions are so great as to residence, payment of rates, and assessed taxes, and registration, as to preclude from the exercise of the right of voting many persons who are nominally entitled to it. In fact, one-fourth must always be subtracted from the apparent number. The difference in point of assessed taxes paid by these places respectively is still more remarkable; the four metropolitan districts paying the sum of 667,448*l.*; while the amount contributed by the four great towns in question is only 100,384*l.* It will thus be seen that the population of the metropolitan districts is nearly double the amount of that of the four boroughs alluded to---that there are 27,906 more houses---three times as many houses of the annual value of 10*l.* and upwards---and that the amount of assessed taxes is considerably more than six times as great. After this, can it be seriously contended that the metropolitan districts are undeserving the limited share of representation which has been allotted them? I will now compare them in the same respects with all the other new boroughs to be enfranchised on the same points. The population of the whole forty-two is 2,494,435; the number of houses 434,274; the houses worth annually 10*l.* and upwards 158,434; and the amount of assessed taxes 962,152*l.* Of these numbers, the metropolitan districts contain, in population, 916,265—houses 144,279—10*l.* houses 84,488—and pay in assessed taxes 667,448*l.*; that is, more than one-third of the population—nearly the third of the

number of houses---more than one-half of the number of qualifying tenements of those forty-two boroughs ; and pay a sum of assessed taxes equal to considerably more than two thirds of that contributed by the whole ; yet the thirty-eight other boroughs will have fifty-six members, and the metropolitan districts only eight. I have other calculations, with which I have been furnished by those most competent to make them, in which these districts are compared in the same particulars with all the boroughs in England and Wales, as to the amount of poor rates, window duties, county rates, church rates, and a variety of other tests. I fear to weary your Lordships by reading them, but they still more strongly and incontrovertibly establish the pre-eminent claims of the metropolitan districts to a large share of the representation. An abstract of them, however, I will shortly give : they prove that the four metropolitan districts stand the four highest in point of amount of assessed taxes, and number of houses of the annual value of 10*l.* and upwards, as well as according to the calculations of Lieutenant Drummond ; and first, second, third, and fifth, as to population.

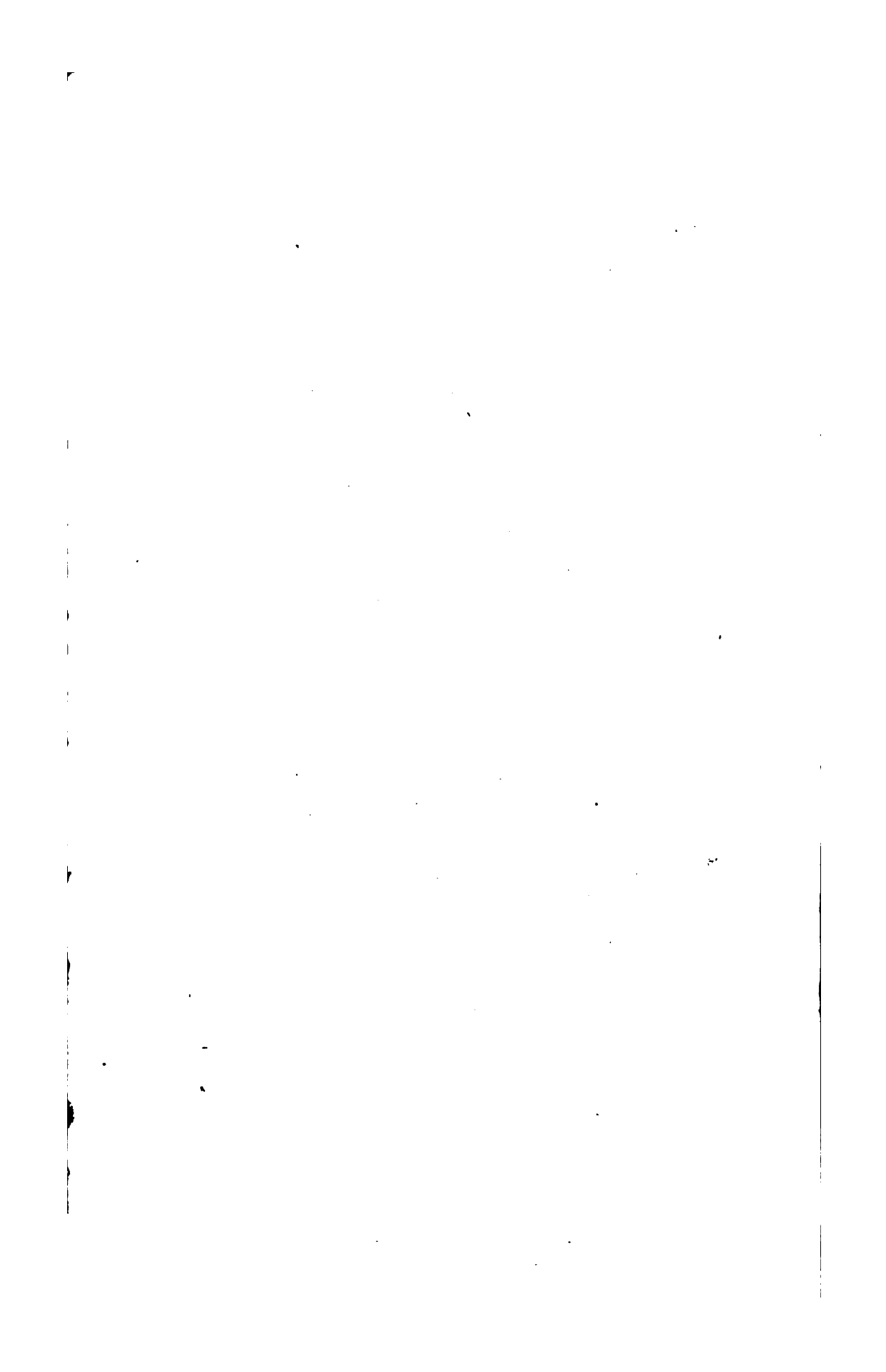
Before I sit down, I must be allowed again to advert to what the Noble Earl (Carnarvon) has said as to the effects which may be apprehended from this measure, in consequence of the character and description of the Members which he fears will be returned by the new electors. My Lords, I think those fears unfounded---wherever the people really have the

power of choosing, they always return the most respectable and the best qualified representatives. Wherever drunkenness, bribery, and electioneering debauchery, or intimidation prevail, there the worst description of voters is to be found---there the alternative is, either the nominee of the rich man who bribes and corrupts the electors, or the temporary leader of an emancipated rabble, enjoying the saturnalia of their momentary freedom with all the recklessness and ignorance of slaves. Whenever they are cheated and tricked, they return persons of the worst character ; but when they have the power of choosing freely, and it is permanently secured to them, they exercise it wisely and discreetly. If we are to believe Noble Lords opposite, the object of the lower classes of the people of this country is nothing but the destruction of property, and the annihilation of the privileges of their superiors. My Lords, I have no such distrust of my countrymen ; I believe them to be actuated by no such dishonourable and bad motives. I believe them, undoubtedly, to be anxious to acquire that share of the constitutional privileges enjoyed by others, to which they are entitled, and to obtain an equal participation in the advantages of a free constitution. But, whatever may be the feelings and wishes of the people of England generally—at all events, after the statements I have now made to your Lordships, the inhabitants of London must be exempted from this charge. If I considered this great city as the Noble Lords

opposite do, following the example of their Tory predecessor—who described it to be---

“ The needy villain’s home,
The common sewer of Paris and of Rome ;”

if I was of this opinion, undoubtedly I should not support this proposition ; but, on the contrary, I believe it to be,---nay, I am sure it is,---the great emporium of this kingdom,---replete with the commerce, the trade, and the learning of the world---the mighty heart of the mightiest empire in the world---containing, within its narrow territorial limits, more wealth, patriotism, intelligence, and independence, than many of the greatest kingdoms in the world. Believing these to be the distinguishing characteristics of the inhabitants of this metropolis, shall I ever identify myself with those feelings of distrust and suspicion which would withdraw from them their small pittance of representation---that limited privilege, for the full exercise of which I, in my conscience, think them peculiarly qualified?—No, my Lords ; if there is to be any change in the proposed representation of the metropolis, my vote shall be given—not for its limitation---but for its extension.



APPENDIX.

LIST OF APPENDIX.

- No. I.—List of all the New Boroughs in England and Wales—the Counties in which each is situate—the Number of Members each is to return—Population—Houses—Houses of the Annual Value of £10 and upwards, and the Amount of Assessed Taxes paid in each Borough.
- No. II.—Comparison of the 4 New Metropolitan Boroughs with the 4 most Populous Boroughs not Metropolitan.
- No. III.—Comparison of the 4 New Metropolitan Boroughs with the whole of the 42 New Boroughs.
- No. IV.—Comparison of the Metropolitan Boroughs with the whole of the Boroughs in England and Wales which are to send Members to Parliament.
- No. V.—Comparison of the Metropolitan Boroughs with the whole of England and Wales in respect to Houses assessed to the Window Duty.
- No. VI.—Comparison of the 2 Metropolitan Counties with the whole of England and Wales in respect to—
1. Poor Relief
 2. Highway Rates.
 3. County Rates.
 4. Church Rates.
 5. Dwelling-Houses.
 6. Extent of Land in square miles.
- No. VII.—General Description of each of the 4 New Metropolitan Boroughs.

N.B.—The whole of the figures, the basis of the calculations and comparisons, and the boundaries of the 4 New Metropolitan Boroughs, have been taken from Parliamentary Papers, viz.

1. Local Taxation, Com. Sess. Paper, No. 52, 6 Dec. 1830.
2. House Duty, Ditto, 123, 8 Feb. 1831.
3. Window Duty, Ditto, 124, 8 Feb. 1831.
4. Inhabited House Duty, Ditto, 372, 14 April, 1831
5. Returns of Churchwardens, Ditto, 95, 27 Jan. 1832
6. Parliamentary Representation, Ditto, 107, 20 Feb. 1832
7. Commons' Boundary Bill, Ditto, 488, 25 May, 1832
8. Lords' Reform Bill, 88, 26 May, 1832
9. Information obtained from Custom House Returns.
10. Information from other sources respecting the St. Katherine, London, West and East India Docks.

APPENDIX No. I.

LIST OF ALL THE NEW BOROUGHES IN ENGLAND AND WALES,
The Counties in which each of them is situate—the number of Members each is to return—Population—Houses—Houses of the Annual Value of £10 and upwards, and the amount of Assessed Taxes paid in each Borough.

	Counties.	Boroughs.	Members.	Population. 1831.	Total Houses.	Houses worth annually 10 <i>l</i> . and upwards.	Assessed Taxes, 1831
1	Chester	Macclesfield . . .	2	30,000	6,000	1,100	£2,500
2		Stockport	2	41,000	7,600	1,500	4,000
3	Cumberland . .	Whitehaven . . .	1	15,700	3,000	900	2,000
4	Devon	Devonport	2	44,000	4,600	3,000	9,700
5	Durham	Gateshead	1	15,300	2,300	750	2,006
6		South Shields . .	1	18,756	3,194	838	1,627
7		Sunderland	2	40,735	5,292	2,528	1,756
8	Glamorgan . . .	Merthyr Tydvil .	1	22,083	4,365	1,588
9	Gloucester . . .	Cheltenham . . .	1	22,942	4,349	2,067	21,185
10		Stroud	2	41,000	9,300	1,600	7,244
11	Kent	Chatham	1	19,000	3,500	1,174	3,500
12		Greenwich	2	63,172	12,053	6,000	22,454
13	Lancashire . . .	Blackburn	2	27,091	4,802	625	2,326
14		Ashton	1	14,673	2,926	612	1,435
15		Bolton	2	42,395	7,632	1,612	4,315
16		Bury	1	19,140	3,497	763	2,400
17		Manchester	2	187,022	32,034	12,723	40,628
18		Oldham	2	32,381	6,192	1,128	1,990
19		Rochdale	1	20,156	3,152	1,014	3,143
20		Salford	1	52,366	9,586	1,286	8,970
21		Warrington	1	18,184	3,798	973	3,051
22	Middlesex . . .	Finsbury	2	224,839	29,605	23,266	201,027
23		Mary-le-bone . . .	2	234,294	27,818	21,630	282,201
24		Tower Hamlets . .	2	302,519	66,777	23,187	93,151
25	Surrey	Lambeth	2	154,613	20,079	16,405	90,069
26	Northumberland	Tynemouth	1	20,201	3,500	1,151	2,776
27	Somerset	Froome	1	11,000	2,474	400	1,960
28	Stafford	Stoke on Trent . .	2	53,000	9,000	1,500	4,900
29		Wolverhampton . .	1	67,000	14,000	2,400	5,000
30		Walsall	1	15,030	3,000	800	1,730
31	Sussex	Brighton	2	41,994	8,885	35,580
32	Warwick	Birmingham . . .	2	142,201	38,000	7,000	28,351
33	Westmorland . .	Kendall	1	11,577	2,207	682	3,088
34	Worcester . . .	Dudley	1	23,143	4,700	800	2,537
35		Kidderminster . .	1	16,000	3,100	500	2,052
36	Yorkshire	Whitby	1	10,399	2,051	500	2,036
37		Bradford	2	34,688	6,394	1,624	2,303
38		Halifax	2	31,317	6,487	1,330	4,117
39		Huddersfield . . .	1	19,035	3,836	1,140	3,031
40		Leeds	2	123,393	26,787	6,833	18,800
41		Sheffield	2	90,657	19,552	4,383	12,605
42		Wakefield	1	12,500	2,800	800	6,000
			63	2,426,496	434,274	158,524	951,132

N.B.—The whole of the figures, the basis of the calculations and comparisons, and the boundaries of the 4 New Metropolitan Boroughs, have been taken from Parliamentary Papers, viz.

1. Local Taxation, Com. Sess. Paper, No. 52, 6 Dec. 1830.
2. House Duty, Ditto, 123, 8 Feb. 1831.
3. Window Duty, Ditto, 124, 8 Feb. 1831.
4. Inhabited House Duty, Ditto, 372, 14 April, 1831
5. Returns of Churchwardens, Ditto, 95, 27 Jan. 1832
6. Parliamentary Representation, Ditto, 107, 20 Feb. 1832
7. Commons' Boundary Bill, Ditto, 488, 25 May, 1832
8. Lords' Reform Bill, 88, 26 May, 1832
9. Information obtained from Custom House Returns.
10. Information from other sources respecting the St. Katherine, London, West and East India Docks.

APPENDIX No. III.

*Comparison of the 4 New Metropolitan Boroughs with the whole of the
42 New Boroughs.*

	Population.	Houses.	£10 Houses and upwards.	Assessed Taxes.
Totals of the 42 Boroughs....	2,494,435	434,274	158,434	962,152
Totals of the 4 Metropolitan..	916,265	144,279	84,488	667,448
Totals of the 38 not Metro- politan..... }	1,578,170	289,995	73,946	294,704

Thus it appears that the 4 Metropolitan Boroughs contain of the Population more than four-sevenths of an amount equal to all the other 38 Boroughs.

Houses, very nearly half as many as the 38 Boroughs.

Houses £10 and upwards, 1,542 more than all the 38 Boroughs.

Assessed Taxes, twice the sum, and £78,040 more than twice the sum paid by all the 38 Boroughs.

The 42 New Boroughs will return 64 Members, thus :

22 New Boroughs, each 2 44

20 New Boroughs, each 1 20—64

The 4 New Metropolitan Boroughs, 2 each.... 8

The 38 New Boroughs not Metropolitan will return 56

If, then, the 38 New Boroughs not Metropolitan have 56 Members, the 4 New Metropolitan Boroughs should have,

For Population.....	32	} instead of 8.
Houses	27	
Houses worth £10 and upwards..	64	
Assessed Taxes	126	

APPENDIX No. IV.

Comparison of the Metropolitan Boroughs with the whole of the Boroughs in England and Wales which are to send Members to Parliament.

	Population.	Houses	£10 Houses and upwards	Assessed Taxes.
The 4 New Metropolitan Boroughs	916,265	144,279	84,488	667,448
London City	122,395	17,315	14,564	205,476
Westminster City and Liberty	202,460	21,893	17,681	303,421
Southwark	134,147	22,482	9,923	51,262
Total of the 7 Metropolitan Boroughs	1,374,967	205,969	126,656	1,227,607
Totals of all the Boroughs in England and Wales which are to send Members to the House of Commons	193 4,748,809	999,965	332,510	2,084,105
Totals of the Metropolitan Boroughs.	7 1,374,967	205,969	126,656	1,227,607
Totals of all the Boroughs omitting the 7 Metropolitan Boroughs	186 3,373,842	793,996	205,854	856,498

Thus it appears that the 7 Metropolitan Boroughs are to all the other Boroughs in England and Wales, in number 186, as follows—*viz.*

In Population, two-fifths.

In Houses, more than one-fourth.

In Houses of £10 and upwards, considerably more than half.

In Assessed Taxes they pay as much, and nearly half as much more, as the whole 186 Boroughs: in other words, £360,109 more than all the other Boroughs in England and Wales.

Of the 186 Boroughs, 166 will return each two Members 332
20 will return each one Member 20

Total Members returned by the 186 Boroughs.... 352

The 7 Metropolitan Boroughs will return.... 16

If then the 186 Boroughs have 352 Members, the 7 Metropolitan Boroughs should have—for

Population	143	} instead of 16.
Houses	91	
Houses of £10 and upwards	216	
Assessed Taxes	504	

APPENDIX No. V.

Comparison of the Metropolitan Boroughs with the whole of England and Wales in respect to Houses assessed to the

WINDOW DUTY.

THE number of Houses in England and Wales assessed to the Window Duty, is	344,495
The number of Houses assessed in the Metropolitan Boroughs, is upwards of	100,000
The number of Houses assessed which are not in the Metropolitan Boroughs, is	<u>244,495</u>

Thus it appears that the 7 Metropolitan Boroughs contain nearly one-third of all the Houses in England and Wales assessed to the Window Duty, and more than two-fifths of a number equal to all the Houses in England and Wales not included in the Metropolitan Boroughs.

APPENDIX No. VI.

Comparison of the 2 Metropolitan Counties with the whole of England and Wales in respect to—1. Poor Relief—2. Highway Rates—3. County Rates—4. Church Rates.—5. Dwelling-Houses—6. Extent of Land in Square Miles.

N. B. The 2 Metropolitan Counties have been selected in consequence of the difficulty and uncertainty of obtaining accurate accounts from each of the 7 Metropolitan Boroughs.

1. POOR RELIEF.

The whole Sum expended for the Relief of the Poor in

England and Wales on an average of several late years,	£	
is		6,431,640
Middlesex pays £612,148	} The 2 Counties	853,731
Surrey 41,583		
The 50 Counties		5,577,909

Thus the 2 Metropolitan Counties pay nearly one-eighth of the whole sum actually expended for the Relief of the Poor in the 52 Counties; and more than one-seventh of the sum paid by the 50 Counties not Metropolitan.

2. HIGHWAY RATES.

2. HIGHWAY RATES.		£
The 52 Counties pay		1,121,834
Middlesex	£34,246	} The 2 Counties. 68,333
Surrey	34,086	
The 50 Counties		1,053,501

Thus the 2 Metropolitan Counties pay more than one-sixteenth of the sum levied in the 52 Counties, besides the sum paid for Paving, Cleansing and Lighting in the Metropolis—a sum which must exceed that for Highway Rates paid by the 52 Counties.

3. COUNTY RATES.

The 52 Counties pay	£763,836	
Middlesex	£46,717	} The 2 Counties 71,708
Surrey	24,986	
		<hr/>
The 50 Counties ..	£692,133	

Thus the 2 Metropolitan Counties pay the $9\frac{1}{2}$ part of the sum levied in the 52 Counties, and nearly one-ninth of the sum levied in the 50 Counties not Metropolitan, besides the enormous sum levied in the Metropolis for similar purposes.

4. CHURCH RATES.

The 52 Counties pay	£564,388	
Middlesex	£94,559	} The 2 Counties 124,956
Surrey	30,597	
		<hr/>
The 50 Counties ...	£439,432	

Thus the 2 Metropolitan Counties pay considerably more than one-sixth of the sum levied in the 52 Counties, and considerably more than one-fourth of the sum levied in the 50 Counties, not Metropolitan.

5. DWELLING-HOUSES.

Poor and County Rates levied if solely on Dwelling-Houses.

In the 52 counties	£1,814,228	
In Middlesex	£509,365	} In the 2 Counties... 653,439
In Surrey	144,046	
		<hr/>
In the 50 Counties	£1,160,789	

Thus the 2 Metropolitan Counties pay more than two-fifths of the sum levied on the 52 Counties, and considerably more than half of the sum levied on the 50 Counties not Metropolitan.

6. EXTENT OF LAND IN SQUARE MILES ..

The area of England and Wales is, in Square Miles....	57,960
The area of Middlesex is 282 }	1,040
The area of Surrey 758 }	

So that the area on which the sums above stated are levied is less than the fifty-fifth part of England and Wales.

APPENDIX No. VII.

General description of each of the four New Metropolitan Boroughs.

1. MARY-LE-BONE BOROUGH.

This Borough lies North and North-west of the City and Liberty of Westminster. It contains—

1. The Parish of Mary-le-bone.
2. The Parish of Paddington.
3. The Parish of Pancras.

This Borough contains a great number of wealthy inhabitants and therefore a larger proportion of private houses than any of the other new Metropolitan Boroughs, and pays by far the largest amount of Assessed Taxes. It also contains a considerable number of houses kept by tradesmen. It is, however, a remarkable circumstance, that with a Population exceeding the Finsbury Borough by 9455, it has 1767 Houses less than the Finsbury Borough, and 1636 Houses of £10 and upwards of annual value less than the Finsbury Borough.

2. FINSBURY BOROUGH.

This Borough lies North partly of the City of London and partly of the City and Liberty of Westminster, and East of the New Borough of Mary-le-bone. It contains the

Parish of St. Luke,

- St. George the Martyr,
- St. Giles in the Fields,
- St. George, Bloomsbury,
- St. Mary, Stoke Newington,
- St. Mary, Islington,

Liberties or Places of Saffron Hill,

Hatton Garden,

Ely Rents,

Ely Place,

The Rolls,

Glass House Yard,

The Charter House,

Lincoln's Inn,

Gray's Inn,

Part of the Parish of St. James and St. John, Clerkenwell,"

St. Sepulchre,

St. Andrew, Holborn,

Part of Furnival's Inn,

Staple's Inn,

which are situated without the City of London.

This Borough also contains a very considerable number of wealthy inhabitants, and a very large proportion of moderately rich and highly respectable persons—a large number of tradesmen of the first class, and of persons connected with commerce in all grades, from the wealthy merchant to his warehouseman. It contains also many detached and comfortable houses in the northern parts, inhabited by persons who have retired from business, literary men, persons of small fortunes, and persons having offices and employments in the heart of London. In this respect it is similarly circumstanced with the Mary-le-bone Borough. It contains several large and elegant squares; the Charter House; the City of London Literary Institution; the grandest Private Literary Establishment in England, the London Institution; and the grandest Public Institution, the British Museum.

3. LAMBETH BOROUGH.

This Borough lies Southward of the Thames and of the old Borough of Southwark, and also Westward of the Borough of Southwark, having the Thames as a boundary to a considerable extent on the North and North-west. The population is not so

dense as in any of the other Metropolitan Boroughs, and it extends over a larger surface than any one of them.

It contains the parish of St. Mary, Newington; the Parish of St. Giles, Camberwell, except the Manor and Hamlet of Dulwich; and also such part of the Parish of Lambeth as is situate to the North of the line described, from the point at which the road from London to Dulwich, by Red Post Hill, leaves the road from London over Herne Hill, in a straight line to a point in the boundary between the respective Parishes of Lambeth and Clapham, 150 yards South of the middle of the carriage-way along Acre Lane.

This Borough contains the Palace of the Archbishop of Canterbury. It is the most rural of all the Metropolitan Boroughs, and has many first-rate houses delightfully situated, and inhabited by rich and intelligent gentlemen, merchants and bankers. The number of small houses is somewhat larger, proportionally, than either of the Boroughs of Mary-le-bone or Finsbury; but it contains a proportionally larger number of second-rate houses than any other of the New Metropolitan Boroughs. The second-rate houses are occupied with every description of intelligent respectable persons, probably as well informed and as independent as any in Great Britain. Many wealthy persons have Wharfs and Warehouses along the River Thames, and many large manufacturing and trading concerns are established in this Borough. Here are also the most considerable Engineering Factories, especially Messrs. Maudslay and Field's, in the constructing and furnishing of which, scarcely less than £200,000 must have been expended. This Borough will bear comparison with any Borough in the kingdom.

4. TOWER HAMLETS BOROUGH.

This Borough lies East and North-east of the City of London, East of the Finsbury Borough, and North along the River Thames. It contains the—

Tower Division of Ossulston Hundred.

Parish of St. Matthew, Bethnal Green,
 St. Botolph, without Aldgate,
 St. Leonard, Bromley,
 Christ Church, Spitalfields,
 St. George in the East,
 St. John, Hackney,
 St. Anne, Limehouse,
 St. Paul, Shadwell,
 St. Leonard, Shoreditch,
 St. Mary, Stratford le Bow,
 St. John, Wapping,
 St. Mary, Whitechapel.
 Hamlet of Mile End Old Town,
 Mile End New Town,
 All Saints, Poplar, and Blackwall,
 St. George, Ratcliffe.
 Precinct of St. Catherine by the Tower,
 Liberty of Norton Folgate.

Forming the Tower Division of Ossulston Hundred.

The Tower Liberty.

The Tower within,
 The Tower without,
 Holy Trinity, Minories,
 Old Artillery Ground,
 Wellclose Square.

N. B. Wellclose Square forms part of three of the above-named Parishes of Ossulston Hundred.

The Liberty of the Tower has a Court House and a Court of Requests, and enjoys distinct privileges in other respects, which may almost be considered as the privileges and local jurisdiction of a separate county.

This Borough has within it the Tower of London—the Mint—the St. Katherine's, the London, West India and the East India Docks—the largest private Ship Buildings Docks on the river—immense Warehouses belonging to the East India Company, occupy-

ing a space as large as many towns—a great number of other Warehouses—many very large Establishments—nearly all the immense Sugar Houses—the largest Cooperages—two great Breweries—many extensive Rope Walks—two large Chain Cable Manufactories—the patent Hemp Cable and Rope Manufactory—several Anchor Smiths, Mast, Block, and Sail Makers—and along the north bank of the river, from the western end of the Tower to Blackwall, nearly every thing which the first port in the world requires for convenience and use.

The Docks and their Warehouses cost upwards of five millions sterling, subscribed by individuals.

The Goods in these Docks are of immense value.

The Goods in Warehouses along shore, and in other parts of this Borough, are also of exceedingly great value.*

The number of ships of all descriptions and sizes, as well as the Craft, are of very considerable value.

The East India Warehouses, and the Goods and Merchandize contained in them, are also very valuable.

It is probable that the actual value of the Houses, Docks, Factories, Shipping, Goods, and Merchandize, which this Borough contains, is worth as much as any two of the Metropolitan Boroughs, though the City of London should be one of them.

The proportion of small Houses in this Borough is greater than that of any one of the new Metropolitan Boroughs. In this Borough the system of farming prevails to a very considerable extent, and the actual number of persons renting houses worth £18 a year, who will possess the right of voting, will probably be found as few in proportion to the number of houses under £20 a year rental, as in any of the other Metropolitan Boroughs.

This Borough has every claim to be represented which can be named as a recommendation for any other place, and it has some facilities for public business which no one of the other new Boroughs has.

* From returns made to Parliament, Commons' Sessional Paper, No. 152, August 9, 1831, it may be concluded that the Goods deposited in the Docks and Warehouses are worth more than £20,000,000, duty unpaid.

SPEECH

IN THE HOUSE OF LORDS,

ON WEDNESDAY, MAY 23, 1832,

ON THE

ENFRANCHISEMENT OF GATESHEAD,

IN THE COMMITTEE ON

THE REFORM BILL.

My Lords,

I return my most sincere thanks to the Noble Marquess (Londonderry), for the opportunity which he has afforded me of giving some explanation upon the subject of the borough of Gateshead, and of removing any unfavourable impression which may have been created, either out of this House, or in the mind of the Noble Marquess himself; and I trust that I shall satisfactorily prove, before I have done, that the information on which he has founded his observations this evening, is in every respect extremely incorrect, to say the least of it. But, first, I must congratulate the Noble Lord on having followed the example of his Noble Friend near him (Ellenborough). His

Noble Friend opposite me, after having opposed the Bill and Reform, both in principle and in all its details, at length, to the astonishment, not only of this side of the House, but to the still greater surprise of his friends, came forward with a plan of reform of his own, and that, too, of a very large, and, in some respects, more extensive nature than that which had been proposed by his Majesty's Ministers; and now comes the Noble Lord and presents us, this night, with his small pocket provincial plan of reform. Whether he will be more successful in procuring its adoption than his Noble Friend, I cannot presume to declare; but I think I shall shew that the Noble Lord has adduced no more reasonable grounds for expecting any support from this House than did his Noble Friend (Ellenborough) on the occasion to which I have referred. But while I congratulate him on having become a reformer at last, and of having brought forward his duodecimo plan for reforming the county of Durham, I cannot say that it appears to me to be such a one as this House could possibly adopt with any regard to principle or to justice. The Noble Lord has said that the boroughs of the county of Durham were arranged on a plan to give an undue influence to the Whig party; and though he disclaimed imputing to me the arrangement with the express view of increasing my own influence in the county, yet he has charged me with not having attempted to prevent that interest being materially favoured, and has been pleased to regret

that it had all the appearance of having been adopted, in order to give me a great political predominance in that county. Now, I really wish the Noble Lord would for once imagine that it is barely possible that an individual can be engaged in a great public measure without having any reference to his own private interests. I wish he could entertain a better opinion of human nature than to suppose that a man called upon to assist, either as a Member of the Government or as a Peer in Parliament, in effecting a great and important political measure, must necessarily apply himself not to that honourable purpose, but to the attainment of his own private objects, and the promotion of his own personal interests.

I confess, my Lords, I am almost ashamed at having felt it even necessary to repel these insinuations, not only for myself, but for my colleagues ; for even if I had been base enough to endeavour to persuade them to consent to an arrangement of such a nature, is it likely that they would ever have lent themselves to such a proceeding—would ever have become accessaries to any such act ? I freely admit that the Noble Lord is right in his conjecture, that in framing this measure I took a considerable share, and devoted much time and attention to it ; I am, therefore, the better enabled to tell the Noble Lord on what principle it was based, and how utterly impossible it was that any other arrangement could have been effected, with any regard to justice. It having been resolved to act upon the principle of

abolishing all rotten boroughs,—having, I say, established, as the first principle of the Bill, that all nomination boroughs should be destroyed, we next proceeded to consider how the advantage of representation could be extended to the rest of the country ; and we found that it was not possible to take any distinct principle but that of giving the franchise to all towns containing a great population. This being the opinion of my colleagues, it was then decided that, as it was necessary to draw some line, which should exclude all notion of partiality in their selection, all towns containing 20,000 inhabitants should return two Members, and all towns containing 10,000 inhabitants should return one Member. This being the arrangement fixed upon, after mature consideration, and on general principles, I ask the Noble Lord how I could require that Gateshead, Shields, and Sunderland, though coming within the line, were to be excluded, because it happened that these places were in that part of the country in which I resided. How I could ask of my colleagues to do such an act of injustice towards these towns, as to exclude them from the general plan ? and how could they have acted so, even if I had been unjust enough to make the request ? That each of these towns come within the line which I have stated, and that they are, therefore, fully entitled to be represented in Parliament, I think, before I sit down, I shall be able to shew to the satisfaction,—if not, perhaps, of the Noble Lord, at least to that of this House.

Now, my Lords, as to the number of Members which has been allotted to the county of Durham generally. If your Lordships will consider the amount of the population of that county, I am sure you will be convinced that it will not receive more than it is at the present moment entitled to. If the Noble Lord will attend to that part of the history of this country which relates to its Parliamentary representation, he will find that Members were first returned from that county in the time of Charles II., after many previous unsuccessful attempts, on the part of the inhabitants, to acquire representation. In the year 1614, a Bill was brought into Parliament, to enable that county to return two Members; also, two for the city of Durham; and to create five other boroughs which were to have two Members each. This was at a time when the population was much less than it is at this day, and it may, perhaps, surprise the Noble Lord to hear that the town and borough of Gateshead was among the number of those towns it was then proposed to enfranchise. That Bill was lost in consequence of a dissolution of Parliament. Subsequently, however, the attempt was renewed in the reign of James I.; but it was always opposed by the Bishops of the diocese, who having, in those days, the right of summoning a kind of Parliament of their own, never could be prevailed upon to give up their privileges. At last, during a vacancy of the see, a portion of that Bill was obtained in the 25th of Charles II., and four Members were

allotted to the county and city of Durham. So much, my Lords, for the general history of its representation.

I will now address myself more particularly to the case of Gateshead ; and, in the first place, I beg distinctly to tell the Noble Lord, that when the application was made by the borough of Gateshead to have Members given to it, so far from it being made at my instance, I assure him I was perfectly ignorant that any claim had been preferred. The memorial of Gateshead, dated the 25th of January, 1831, was addressed to the Chancellor of the Exchequer, and claimed, on behalf of the inhabitants, their share in the new representation, about to be granted, as they understood, to the populous towns of the empire. My Lords, what is the nature of that claim ? Its population amounts to 15,177 ; it pays in assessed taxes 2,006*l.* annually ; and it contains 750 ten-pound houses.

Here I must beg your Lordships' attention to the position of Gateshead in point of population, the amount of assessed taxes paid, the number of 10*l.* houses, and Lieutenant Drummond's test, with reference to the other boroughs contained in Schedule D. It is superior in population to Walsall, Wakefield, Kendal, Frome, and Whitby ; in assessed taxes, to Whitehaven, Oldham, Frome, Shields, Merthyr Tydvil, and Ashton ; in 10*l.* houses, to Kendal, Blackburn, Ashton, Kidderminster, Whitby, and Frome ; by Lieutenant Drummond's test, to Kendal,

Walsall, Ashton, Whitby, and Frome. But, my Lords, I will make a still severer comparison,—I have taken out fifty-three of the most important towns in the empire, and applied to them Lieutenant Drummond's test, and whatever may be the towns to be excluded from the Schedules C and D, according to that principle, Gateshead is not one;—on the contrary, it stands fortieth on the list; forty-two being the number required, two being inferior, and one of them, the very town named by the Noble Lord,—namely, Doncaster. But with reference to Stockton-on-Tees, which the Noble Lord wishes to substitute for Gateshead, I think the fact which I am now about to state will prove upon what little regard to principle that arrangement must have proceeded, had it included Stockton and excluded Gateshead. In 1821 the population of Gateshead was 11,765, 1,765 above the line of 10,000; while the population of Stockton was 5,006, nearly 5,000 below it. At the present moment the population of Gateshead is 15,177, and that of Stockton is 7,991.

As the Noble Marquess has indulged in a great number of insinuations with regard to the increase of the boroughs in the northern districts of the county of Durham, I must remark to him that this circumstance is owing to the fact of the mines being situated in that district; in consequence of which, manufactures, and trade, and commerce, have become attached to that locality, and large towns have sprung up in the vicinage of each other. Unless, then, you

apply a different principle with regard to the county of Durham to that which governs the distribution of the representation in other counties, you must take as the criterion for determining the number of Members to be given to it, the large towns which are situate in it; and as it happens that they are in the northern district, the new Members are necessarily allotted to that district. The same fact appears in the state of the new representation of the mining districts on the borders of Yorkshire and Lancashire, and to a much greater extent. The Durham mining and manufacturing district receives four boroughs and five Members; the Yorkshire and Lancashire corner receives twelve boroughs and seventeen Members—a much greater number than Durham, in proportion to the extent of the district. The increase, in both instances, has arisen because these large towns have gradually sprung up, and have increased in population, trade, and wealth; and surely, my Lords, we could not, with the least appearance of justice, have excluded any of these towns from the present arrangement merely because they happen to have the misfortune of being locally situate in my neighbourhood. It would have been an act of the grossest injustice, and one which, I am confident, the great majority of your Lordships would have strongly reprobated.

The Noble Marquess objects to these towns receiving representatives because, he says, they will be subject to the influence of individuals. If the Noble

Marquess would change places with me, and if it were possible that he could imbibe liberal principles, I still would defy him (I know I shall be myself unable) to return by way of nomination, or in an indirect manner, or by any other cause arising from the possession of property in those places, a single Member for any of the towns in the county of Durham that are to be enfranchised. That the inhabitants of these towns may entertain a respect, and feel a sympathy for my political opinions, I do not intend to deny;---indeed, I consider it a great honour to be favourably regarded by so large a number of my fellow-countrymen in the north. I am well acquainted with their great commercial activity---I honour their political intelligence, and can bear testimony to their great respectability; and here I must protest against that indiscriminate abuse in which the Noble Marquess has indulged when speaking of Gateshead and its inhabitants. I know a considerable number of them, and I know them to be men of wealth, talent, and respectability. The Noble Lord says they are persons whom I would not admit to my table; my Lords, I deny this. I have been accustomed, and always shall be proud, to live in habits of friendly intercourse with them, as indeed I hope I always shall with all my neighbours in the county, whatever may be their accidental station in the scale of society.

My Lords, I now come to another objection which has been urged by the Noble Marquess---namely,

that Gateshead is a suburb of Newcastle. I never, in my life, was more astonished than when I heard that assertion made. But the Noble Lord has not even the merit of originality ; he has been preceded in this attempt centuries ago by the corporation of Newcastle, who have ever since the year 1186, constantly endeavoured to annex Gateshead to Newcastle. So far, however, from Gateshead being a part of Newcastle, it lies in a different county, pays different rates, and has a different jurisdiction. The Noble Marquess has said that most of the inhabitants of Gateshead are freemen of Newcastle. What is the real fact ? The inhabitants of Gateshead are not only not free of the corporation of Newcastle, but, on the contrary, one of the express laws of that corporation is, that no freeman of that corporation residing in Gateshead, shall have the right or power of enfranchising his apprentices. Besides all this, such is the extreme jealousy entertained by Newcastle, that merchandise entering that town from Gateshead pays a heavy toll to the corporation of Newcastle. I appeal to my Noble and Learned Friend near me (the Lord Chancellor), whether, when he went the northern circuit, the right of levying these tolls was not made the subject of legal investigation ?

THE LORD CHANCELLOR.---Yes ; and I was engaged for eight hours on the trial, but without success.

LORD DURHAM.---I have said, my Lords, that it has been the constant effort of the corporation of Newcastle to create Gateshead into a suburb of that

town, but which efforts have been as constantly resisted by the Bishops of Durham and the inhabitants of Gateshead. It is true, that, for a few months—and a few months only, during a period of more than six hundred years, they succeeded, but under what circumstances? At the latter end of the reign of Edward VI., Dudley, Duke of Northumberland, took possession of the revenues of the Bishoprick of Durham, and dissolved the See. Gateshead was allotted by him to Newcastle in the division of the spoil. The preamble of the Act, authorising that annexation, recites that “the town of Gatesyde is parcel both of the possession of the Bishoprick of Durham, and also of the liberties and county palatine of Durham;” and the reason assigned for the appropriation is, that rubbish is thrown into the river Tyne, of which the corporation was conservator, and that offenders escape justice by going into another county: against this Act Gateshead petitioned, and addressed “Master Bell, the Speaker of the Honourable House,” setting forth the inconveniences which would result from this proceeding, and as all the reasons contained are quite as applicable to the present time, I shall read the petition.

“The town of Gateshead is within the county of Durham, and hath its liberties and customs granted by the Bishop’s predecessors, and payeth all assessments for the repair of ways, bridges, charge to the wars, watches of the beacons, town and field watches within the county of Durham.

“The town of Gateshead is ruled by the Bishops and burgesses,

and hath good and wholesome constitutions and ordinances within themselves, and is as well governed for justice as they are in Newcastle. If it should be united to Newcastle, it would be replenished with evil-disposed persons and thieves, because it is without their walls, as is the north part of Newcastle. Whereas now in Gateshead, there are a great number of substantial honest men, faithful and true subjects, as did appear in the late rebellion, some merchants, some drapers, and other honest artificers, whom the town of Newcastle doth envy, because they dwell so nigh unto them."

Such was the petition which was presented to the House of Commons on that occasion, against the annexation of Gateshead to Newcastle. This state of things, however, lasted, as I said before, but a few months; the Act was repealed in the 1st of Mary, in the following terms:—"Repeal of one stat. 7 Ed. VI., c. 1; whereby the Bishoprick of Durham was dissolved, and all the lands and possessions given to the King, and also of one other 7 Ed. VI., c. 10, whereby the town of Gatesyde was severed from the said Bishoprick," &c.

Not content with this, Parliament came to a resolution upon the subject, which I will read to the Noble Marquess, as it may be an inducement to him not to be too earnest in his opposition to the people of Gateshead, for fear the present Parliament should come to a similar resolution. In 1554, it was resolved in Parliament, "that it was a covetous disposition in Newcastle, and in no ways for the good of any." In 1575 and 1646, more attempts were made by the corporation of Newcastle to make Gateshead a suburb, in which they again failed.

One word, my Lords, as to the trade of these two towns. It has been said by the Noble Lord that the trade of Gateshead is similar to that of Newcastle ; it is, however, of a perfectly different description : there are great iron and brass founderies at Gateshead, such as do not exist in Newcastle. As to the appearance of the town, which the Noble Marquess has described to be vile and filthy, I really must deny the correctness of that statement ; but, indeed, his knowledge of the town can be little more than that which he has acquired while riding through it when on some visit to Ravensworth Castle, which is in the immediate neighbourhood. It is possible that, when prancing through it on his Arabian, some filth may have disfigured his person ; but that the state of the town or inhabitants is, generally, such as he describes it, I deny. I have had more intimate opportunities of knowing the state of Gateshead than the Noble Lord, having often canvassed it when I represented the county of Durham, and I can assure him and your Lordships that it contains many and important manufactories, and is inhabited by persons of great industry, intelligence, and respectability. — As a proof that there is not that degree of poverty existing in Gateshead which the Noble Marquess appears to believe, I can state that the average amount of its poor-rates has always been less than that of Newcastle. But, my Lords, all the arguments which I have been endeavouring to advance upon this subject are so much better summed up in the Report

of the Commissioners, that I shall conclude what I have to say on this topic with a reference to the Report itself.

“ The circular part of the parish, on the river side, is thickly studded with manufactories and other buildings, and on the south-western and north-western frontiers compact masses of building are also to be found. Many houses have been recently erected in these parts, and many are now in progress. The bulk of the town, however, is to be found on each side of the great southern road. Gateshead is progressively and rapidly increasing in importance as a manufacturing district. Great grindstone quarries are situated in the midst of the parish, and within it are extensive manufactories of chain-cables, heavy iron-work, and steel ; and also of glass and other valuable commodities. A rail-road is in contemplation, for which a survey has been made, and subscriptions entered into.”

So much, my Lords, with regard to the borough of Gateshead. I will not say more than one word as to the division of the county of Durham, as your Lordships must be aware that that subject will come more strictly under the consideration of the House on a future day. But I must tell the Noble Marquess that I had nothing to do with the division of the counties. The division has been made by professional gentlemen of great credit, and whose characters were staked on the fairness and impartiality with which they discharged their duties, and for which they have made themselves responsible to Parliament. I can safely say for myself---and I believe every other Noble Lord connected with his Majesty's Government can, on their parts, say the same---that I have

not had the slightest communication with those Commissioners with regard to the division of Durham or of any other county. But the fact is, that the division which has been made of the county of Durham is the only one which could with fairness and propriety be made. The rule by which they have been governed is precisely that which the interests of the county required. They have divided it into the northern and southern divisions: the former including the districts connected with the mining interests, and the latter including the agricultural districts. It would have been absolutely impossible to have made any other division without mixing up the agricultural with the mining interests, against which I imagine much louder protestations would have been made. As to any individual who may possess property in the northern division being able to influence the elections, either of the boroughs or the county, my opinion is, that he could not have the slightest effect on the representation. How is it possible that 2000 or 3000 independent householders could be influenced by any one or two persons who may happen to possess property in that county, so as to control the election of Members of Parliament? There may be a few persons who, from their situations in life, or the nature of their tenure, dare not vote but as they are directed by their masters or landlords: these, however, can be but few; while the rest form a respectable and independent constituency, over

whom no improper influence can possibly be exercised.

I trust that the effect of this Bill will be to destroy all improper influence whatsoever. I mean not that proper and salutary influence which is derived from property and station, and the respect which attaches to the proper exercise of their duties; but I allude to that unconstitutional control which has been too often used under the existing system of representation. I have no doubt that this Bill will do away much of that evil; indeed, I should be very sorry to be engaged in the formation of any representative system, the provisions of which would not have that effect. With regard to myself, I can have no personal interest in the matter. As my lot is now cast in this House, I shall never have occasion to become a candidate, or to canvass for the votes which this measure will create; and I shall be well content to leave the merits of any friend of mine who may wish to represent these places, to be freely decided on by its electors, without any interference on my part.

My Lords, I conclude by assuring you, that it is very painful to me, and must be equally irksome to your Lordships, to be obliged to occupy your valuable time in disclaiming any personal feeling in this matter, but the Noble Lord has placed me in this predicament by making these charges. I cannot shrink from meeting them; and, in repelling them, I must repeat that the motive which has actuated me in supporting this measure, has been not to pro-

mote the views or purposes of any party, but to render what I believe will be an inestimable benefit to my country ; and I shall always consider the performance of that duty which was assigned to me in the consideration of this Bill, as the proudest act of my life.

SPEECH

AT

THE PUBLIC DINNER AT GATESHEAD,,

ON

WEDNESDAY, OCTOBER 23, 1833.

GENTLEMEN,

I should indeed be deficient in all those feelings which dignify human nature, if I did not feel deeply sensible of the kind and flattering—I may say enthusiastic, reception which you have given the toast which has just been proposed by my Honourable Friend, the Chairman. It is now more than ten years since I last met you in this room, and I still have the satisfaction of finding my friends in Gateshead the same kind supporters—the same warm-hearted and affectionate friends which I found them when they so mainly contributed to the glorious triumph we then obtained. (Applause.) Perhaps, you may hardly think it worth while that, at the outset, for a single moment, I should allude to the unworthy reception that accompanied my

entry into the town. If you were surprised at it, I was not, knowing those from whom it came; and that it was the same party I so successfully resisted in 1819, and shall always, to the last hour of my life, contend against, because I know their principles are at variance with that rational freedom and constitutional government, of which I profess myself now, and ever have done, the sincere and zealous advocate; and in the maintenance of which I shall never shrink from any opposition from that quarter. I know them to be the enemies of true liberty, and am convinced that we have but to meet them manfully to scatter them in the dust. (Applause.) No more allusion shall I make to the reception I experienced from them, except to notice one statement made by an individual, which was not founded in fact—that expressions had fallen from me that were unworthy of me to utter, and him to hear. The only words I used were, that I was surprised that his sense of propriety did not dictate to him the necessity of apprising me that an address had been voted to me, that I might state to him when and where I should receive it; and that, engaged as I was to the present Meeting, it was not in my power to receive it to-night, nor would I do so. (Cheers.) With this short explanation, I shall dismiss every thing that appears to have interrupted the harmony of this Meeting—a harmony disturbed, perhaps, from feelings not quite so personal to myself, as to my Honourable Friend, the Chairman, and some of

his supporters. (A laugh.) As this is the first occasion on which I have met any of my countrymen assembled together since I left office, allow me to make some allusion to what has fallen from my Honourable Friend. He has stated to you, that I had been actively engaged in framing the Reform Bill. I will affect no mystery with you. I do not see why I should. (Cheers.) I will not conceal from you, that immediately after the formation of the government, Lord Grey did entrust to me, personally, the preparation of that measure. (Loud and continued cheers.) I was assisted by the advice of three of my colleagues,—Lord John Russell, Sir James Graham, and Lord Duncannon; and with their co-operation the first Reform Bill was submitted to the Cabinet and to the Sovereign. Of that measure I shall say no more, than that if it was not entirely perfect, it was, at the same time, free from many of those imperfections which attended the passing of the second Reform Bill. I allude, in particular, to the 50*l.* tenant's clause, which was forced upon the supporters of the bill by the then Tory House of Commons, and afterwards inserted in the second measure, although contrary to the principle on which the first was framed,—namely, that independence should be the security for a vote; and that no matter how small the property was, provided the voter could exercise an independent suffrage, he should be entitled to vote for a Representative. (Loud applause) It is needless for me

to tell you, that circumstances to which I cannot, and dare not, further allude, prevented my attending in my place in Parliament, during the discussion of the first measure, and from having any thing to do with the formation of the second. When it did come before the House of Lords, I supported it to the best of my ability, knowing that with all its imperfections on its head, it was one of the greatest charters of public liberty, and one of the greatest renovations of the constitution that any Government ever staked its existence upon, or the two Houses of Parliament ever ventured to pass into a law. (Loud cheers.) I am aware, however, that much remains to be done---many imperfections to be remedied---especially with regard to rating. (Cheers.) If we find that the non-payment of rates tends to disqualify those who have the right of voting, that part of the measure should be altered and amended. (Cheers.) Also, with regard to registration, and the expense of elections: these are points which require to be reconsidered, and with respect to which you have but to instruct your Representatives to attend to them, and they must be carried. (Cheers.) Here allow me to observe, that, in these days, we must not blame individuals, or Ministers alone, if the principles of that Bill are not carried into execution. The power rests with yourselves now to instruct your Representatives to propose any measure upon which you, the respectability and intelligence of the country, have set your hearts, and it must be

inevitably carried. (Cheers.) When I make this reference to the part which I have taken with respect to the Reform Bill, do I mean to claim credit to myself? However I may have advocated its leading principles, however diligent I, with my colleagues, may have been in the preparation of it, or however obstinately I may have adhered to some of its clauses (loud cheers), I do not. We were but the zealous instruments of carrying into effect the will of one who staked his character, and the reputation of a long life, upon the success of the measure; and who only took office upon condition of carrying the question. The person who possesses this claim to the gratitude of the people of England, is one man and one only, I mean Lord Grey. (Applause.) As to the part I took in regard to the Borough of Gateshead, to which the Chairman has alluded, I rejoice that it fell to my lot to dispel many of the delusions and prejudices that existed, and the false impressions that had been produced against it. I knew it well: I knew the spirit of independence which has ever actuated its inhabitants; that they would never be subject to the influence, nor submit to the dictation, of any man living; and that if an independent constituency were to be formed, it would be found in the Borough of Gateshead. I beg to ask if the result has not fully justified my opinion? (Cheers.) Whatever feelings may be entertained, or difference of opinion exist, with regard to the political sentiments of our Honourable Chair-

man, I ask you if any man can deny that he was freely and properly elected, owing nothing to the influence of property. (Loud applause.) It is, therefore, with no small satisfaction that, amidst all the labours of my public life, which has now been extended to more than twenty years, I look back to the part I took, in vindicating the claims of this independent borough to representation under the provisions of the Bill. My Honourable Friend has alluded to the present state of public affairs, as being one of a very serious description ; and I confess I am much inclined to agree with him in that opinion. (Hear.) I believe that a spirit of restless discontent is abroad, which requires great prudence, great skill, great discretion and statesmanship, to allay. But my opinion is, that the best mode of allaying it—nay, the only mode of allaying it—is for the Crown and the Government to go cordially along with the people. (Loud and continued cheers.) I know of nothing that the intelligence of the country—and when I speak of the people I speak of the intelligence and education, not the property alone, but the intelligence and education of the country—I say I know of nothing which the intelligence of the country has set its heart upon, and which it ought to possess, that it will not eventually obtain. (Cheers.) It is therefore, the duty of a wise statesman to examine the objects the people have in view, and what they are determined to obtain ; and when he is satisfied of their justice, he should not wait to be

forced into the adoption of such measures ; he should not act upon expediency or compulsion, but grant them freely and cordially ; for believe me that the boon yielded upon compulsion, however the object may be obtained, loses half its grace, and very often all its value. (Loud cheers.) At a Meeting like this, when I have the honour of seeing assembled around me my neighbours and friends, for the first time since I left office, I cannot permit any mystery to attach to any part of my conduct as a public man. I have already shewn you that none has attached to it with respect to the Reform Bill. As to the cause of my quitting my official situation in the Administration, I cannot give you better reasons than those contained in the letter of resignation I delivered in to the Prime Minister, and which, as it is very short, I will take the liberty of reading to you. (Hear, hear.)

The Noble Earl here read the following letter :

Cleveland Row, March 12, 1833.

My dear Lord Grey,—More than four months have now elapsed, during which—from the severe affliction with which I have been visited, and the illness which followed it—I have been prevented from attending the Cabinet Councils, or transacting any Ministerial duties, except such as regarded the mere business of the Privy Seal.

If I could any longer entertain the hope of a speedy recovery, I might feel justified in remaining in retirement a short time longer—but the state of my health has become so much worse of late, that I cannot anticipate any relief, or even the chance of it, unless from a temporary change of climate, and an abstinence from the cares and anxieties of office.

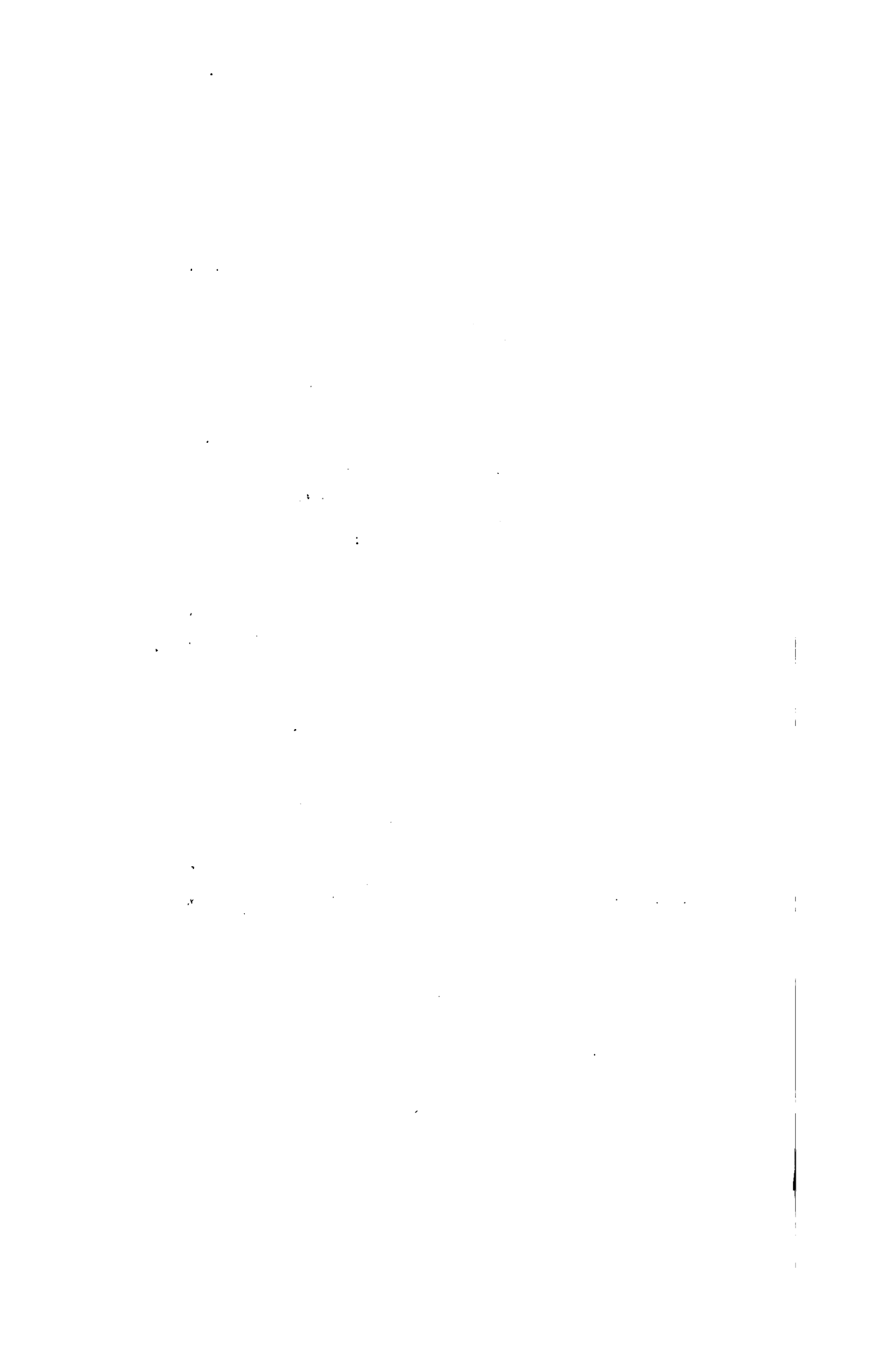
In these circumstances I have no alternative but to beg you to lay before the King my resignation of the office which I hold in His Majesty's Service.

Your's, ever affectionately,

DURHAM.

That resignation, so tendered, was most graciously accepted by his Majesty; and on the very day it was accepted Lord Grey communicated to me his Majesty's gracious intention of conferring upon me that additional mark of honour with which you are already acquainted. (Cheers.) This I could have no hesitation in accepting, because it proved that the confidence with which I was honoured by the Sovereign was not diminished by my resignation of office (cheers); and I trust and hope that in every thing I have done, I was not only deserving of his confidence, but that I have done nothing to forfeit that of my fellow countrymen (repeated cheers). Finally, I may say, that never, either in the Senate or in the Cabinet, have I compromised one single principle I ever avowed, but that I have always endeavoured, through good report and evil report, to carry into effect those principles which I have considered necessary for the happiness of the country, and from which no paltry object of ambition ever did, or ever shall, induce me to swerve (loud applause). Having said thus much---having, in return for the marks of respect and affection which you have been pleased to bestow upon me, treated you with the utmost candour, and laid before you every

circumstance connected with my public conduct—as I felt bound to do—for when a man stands before those who are assembled to do honour to his public character, he ought to take care that no circumstance upon which any doubt could remain should be left unexplained---affirming that the views with which I became a Minister were to maintain the honour and security of the Crown, and promote the advantage and happiness of the people, which was ever my invariable line of conduct while I was in office; and that I only left it because I was incapacitated by the hands of Providence, and the state of my health, from longer discharging its duties---I will only add, that being now blessed with a comparative return to health, I shall continue, as before, humbly, but zealously, to devote myself to the service of my country (cheers). I return you my most sincere and heartfelt thanks for the cordial manner in which you received the toast proposed to you; and assure you that I shall always reckon, as one of the happiest hours of my life, that in which I renewed my connexion with a body of individuals, to whom I have owed so much, and whom I have so much reason to esteem.



S P E E C H

AT

THE PUBLIC DINNER AT SUNDERLAND,

ON WEDNESDAY, NOVEMBER 6, 1833

GENTLEMEN,

It is really not a mere figure of speech, or affectation, to say, that the very kind and affectionate manner in which you have received the toast that has been proposed to you, almost deprives me of the power of utterance (cheers) ; for whatever may have been the tributes of respect paid to me in other quarters, you are my immediate neighbours, and almost my fellow-townsmen ; we are connected by the nearest ties by which men can be united ; and such warm and enthusiastic marks of your approbation go directly to my heart (cheers). I have, indeed, had a gratifying compliment paid to me—your invitation to meet you this day—the desire you have expressed to see me once more amongst you, after so

long an absence—together with the tribute you are willing publicly to pay to my political character—all these considerations affect me beyond the power of expression, and make me despair of adequately conveying to you the deep emotions of gratitude with which I receive this proof of your regard (cheers). Those feelings are not diminished when I recollect that it has been conveyed through the medium of my worthy and excellent Friend, your highly esteemed fellow townsman, whom you have placed in the Chair—he whom I have known since my earliest boyhood, and whom you have intimately known and cordially respected, while you have witnessed him, nobly sustaining, in all the situations of life, the character of an upright English Merchant, and conferring as much honour upon his native town as he derives from it (loud cheers.) If anything could be more gratifying to me than another, it is your selection of my Honourable Friend to preside on the present occasion (renewed plaudits). He has alluded, in proposing my health, to the great and glorious victory which we achieved together thirteen years ago. I assure you I look back with pride and pleasure to the events of that day; and it is no small increase of my satisfaction to find that they have not faded in your recollection. Amidst the chequered events of my life, I have always reflected with satisfaction on the part I took on that occasion, and on others when I represented you in Parliament. In reference to that glorious triumph, and of the pre-

sent state of this town, and of the whole county of Durham, though many of you may remember its former condition, yet, as there may be others, among my younger friends now present, who were not then engaged in public life, you will allow me to describe, as briefly as I can, the position of the county in 1813, when I first had the honour of entering Parliament as its Representative. There was then no public feeling of any description---the gentry of the county were chiefly Tories,---the Magisterial Bench was filled by the same party,---all public meetings were held at the gates of the Bishop's Palace. The Reverend Prelate generally attended---instructions were given to the Tenants how they were to vote, and their hands were held up according to the inclination, and in obedience to the bidding, of their Landlords---on one important occasion, which some of you may remember, even the eloquence of my Illustrious Relation, Lord Grey, and of my lamented Father, failed to produce any effect---they were opposed by the Bishop and the Tory Gentry ; and resolutions similar to those that were carried with enthusiasm, in other parts of the kingdom, were on the College Green, negatived almost by acclamation. (Hear, hear.) It was in these circumstances I presented myself to the notice of the Freeholders of the county. I know that, on that occasion, ---and I own it with pride and pleasure,---for you knew nothing of myself,---I was elected solely on the strength of the character and reputation of

my Father (cheers); and I may express to you a confident hope, that in every subsequent action of my life, I did nothing to disgrace his name. (Repeated Cheers.) The first point to which I turned my attention was, to endeavour to create some public feeling in the county—some attachment to constitutional principles---in short, to induce the people of the county to think for themselves. (Cheers.) It was on that account I encouraged public meetings on every occasion, interesting to the feelings of the country---on every question affecting not merely their local rights or interests, but the general rights and interests of the empire. (Cheers.) With these views I joined my friends in getting up those meetings, which many of you will doubtless remember. I succeeded. (Cheers.) One after another they took place; and I at last had the happiness of seeing the county of Durham take its just and natural position amongst the enlightened and independent counties of England. (Enthusiastic cheers.) I need hardly call your recollection to the first public meeting in this town. It was convened by the late Rector, on the question of the disturbances at Manchester. I came alone into the room, and found a party of Gentlemen, chiefly of the neighbourhood, who said they were representing the sentiments of Sunderland. I thought it a strange mode of representing those sentiments, to hold a meeting, of which no public notice had been given. I addressed them on the subject, and

in half an hour the inhabitants of the town flocked in---an adjournment was carried for two or three days, and then in a public meeting the real and unanimous feeling of the town was clearly ascertained. (Cheers.) It was the occurrence of all these circumstances which led to that glorious triumph to which my Honourable Friend has alluded, and enabled me to contend, single-handed, against a greater power and influence than was ever exerted against one individual. (Loud cheers.) I had against me, and against you,---for we were all fighting for one common cause,---the influence of the Crown, the Bishop, the Dean and Chapter, the Bench, and the greater proportion of the Gentry, who were Tories,---and every resource of that powerful combination was brought into the field, without the slightest scruple or delicacy whatever. We entered into the contest and triumphed! (Loud cheers.)—and I trust the result of that victory has been to place, on an imperishable basis, the independence of this great and populous county. (Cheers.) The part I took in those transactions, has been constantly a source of the greatest gratification to me. The recollection of them has been an incentive to great and laborious exertion, and also, let me tell you, a consolation in hours of despair and sorrow. (Much cheering.) It is true that the connection between us has been, latterly, less immediate,—it is true that I have been removed to another House of Parliament;

but I appeal to many who are around me, whether, after that removal took place, I ever relaxed in my efforts to protect the commercial interests of the county of Durham, and of this town in particular. (Loud applause.) Whether I did not devote every hour of my time to the consideration and enforcement of every just claim they had to the attention of the legislature. (Renewed cheers.) I know that in this transfer of the sphere of my duties, I abandoned a stage on which I might, perhaps, have distinguished myself more—and where, in the present state of parties, I might have gained more influence over my countrymen, than on that on which I am now placed. But I considered that some benefit might, perchance, be secured, by placing in the House of Lords, one who was born, bred, and educated, amongst the people—(great and continued cheering,)—one who, from early conviction, had felt that the main object that a statesman ought to have in view should be the happiness of his fellow-countrymen, not the attainment of any object of ambition, except so far as that should be connected with the advocacy of that grand and glorious cause,—and who was ready to defend the public interests amongst those who were not, by education or habit, inclined to attach so much importance to liberal principles as himself. (Loud cheers.) In these circumstances, irksome as was the task, and unpleasant as I found it to be opposed personally to the habits and prejudices of those amongst whom I was

placed, the previous education of the House of Commons enabled me, I believe, to perform more important services than I could have rendered my country, had I remained fighting its battles with others, my friends, in the Lower House. (Cheers.) Thus much I do know,---that the experience I gained in the House of Commons was very often of most essential service to me in conducting public business, and in eliciting important information, when it devolved upon me to defend the rights and liberties of the people, in the discussion of measures brought before the House of Peers. (Loud applause). Having said thus much of my removal from your representation, you will permit me to add, that if any link in the chain that bound us together was loosened by my resignation of that honourable station, I feel a proud satisfaction in seeing that connection renewed in the person of a near and dear relation of mine, who, if I know any thing of him, will ever pursue the same line of conduct which gained me your approbation and esteem, and devote himself, as I ever did, heart and soul, to your service. (Loud and continued cheers.) I have not devoted myself, not only to your service, but to the cause of liberty and freedom, without having suffered something in the conflict---without having been subjected, as all of you know from past experience, to most unfounded and most injurious attacks. (Cheers.) But I have this consolation,---my own conscience acquits me of being actuated by any purpose but anxiety for the public good---of having any

other wish or motive than an earnest desire to promote the liberties and happiness of my countrymen. (Loud cheers.) Perhaps many of you who pay attention to the reports which appear, of all that takes place amongst us and our neighbours, are aware of the sentiments I have lately expressed on political matters. (Cheers.) It is, therefore, unnecessary to repeat to you what I addressed to my countrymen at Gateshead. I know that you must think deeply on the present state of the country. You are now awakened, so far as relates to the exercise of the constituent privilege, to a new-born sense of the duties which are attached to that sacred trust, and ought to pay strict attention to all that passes around you. I would press upon you the paramount necessity of continuing a vigilant superintendence over the conduct of all who are engaged in public life, and especially over those who rule the destinies of the country---in conjunction with whom, I acknowledge, with pride and exultation, the part I took, as alluded to by my Honourable Friend, in introducing the great measure of Reform. (Loud cheers.) I impress upon you, also, the necessity of devoting your attention to the conduct of your Representatives in Parliament; and I trust my Honourable Relation will not feel annoyed if I press upon you, his Constituents,---and I believe the greater part of you are such,---the necessity of examining every vote he may give in Parliament; for be assured, that second only in importance to the conduct of their Representatives is that of the constituent body. (Loud cheers.) Of

what avail is it to confer those privileges upon you which raise you to the rank and dignity of freemen--- which enable you, through your Representatives, to defend the interests of this port, and those of the country at large,---of what avail, I ask, are those privileges, if you do not exercise them with reference to the general good of all? (Cheers.) I exhort you, therefore, to impress upon your friends and neighbours the absolute necessity of acting upon public principle, and of increasing vigilance; for if the rights and liberties of the country are not strictly attended to, they may, in the hour of triumph, be suffered to fall into abeyance and neglect. (Cheers.) We live in no ordinary times. I repeat that I fear there is a restless spirit abroad. I am sure it can only be allayed by the means to which I alluded on a former occasion---and by wise and good men, like yourselves, who also have property and a stake in the country, demanding those wise and useful reforms which would lead, not to convulsion, but to security. (Loud cheers.) We have to contend against those who desire no reformation, and would return to the old days of corruption, and also against those who would introduce confusion and revolution amongst us. (Cheers.) I ought, perhaps, to apologize for addressing you at so much length on this occasion; but I have been led into this train of reasoning by the observations of my Honourable Friend, with regard to the glorious events of the year 1820, and by the comparison which necessarily forced itself upon me, of

the state in which I found the county, when I first came into Parliament, and what I trust it now is, after twenty years of anxious devotion to your service, and of unwearied labour for your interests. (Cheers.) I found it with four representatives ; I now see it with ten. (Loud cheers.) I found it without any of its great commercial towns enjoying the invaluable right of representation ; now I have the pleasure of seeing this great and important town placed in the enjoyment of the privilege which belongs to it, and which I trust you will ever be found to exercise according to the principles on which it was conferred. (Cheers.) I should be unpardonable were I now to detain you any longer. I am conscious I have done so too long already ; but you will allow something for the natural anxiety I felt, after being separated from you so long, to convey to you those sentiments which I know will find favour in all your hearts. (Cheers.) We have been so long united---we have fought and triumphed so often---we are so associated as friends and neighbours, and so connected by the ties of property and mutual interest,---that nothing can happen for the weal or woe of Sunderland which must not equally affect me. (Loud cheers.) I drink all your good healths ; and may every happiness and prosperity which this world can afford attend you and yours !

FINIS.





